A Comparison and Analysis of Repentance in Moses Maimonides' "Laws of Repentance" and Rabbi Joseph Soloveitchik's On Repentance

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Thesis submitted in partial fulfillment of the requirements for Ordination

Hebrew Union College—Jewish Insititute of Religion

March 1, 1994

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Digest of Contents

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Year after year on *Yom Kippur*, millions of Jews, from the most rigidly Orthodox to the most marginally Reform, gather in their respective houses of worship, to repent of their sins and seek atonement. However, while they all may share a common quest, the methods they use to achieve their ends may be vastly different. Some Jews might beat their chests as they utter the words of confession as a symbolic gesture of remorse, and there are others who simply voice the words in hope that their syllables will have the wondrous effect that God will forgive their misdeeds. Still, there are others who have no conception of how the words of the *siddur* and the act of repentance are connected.

This thesis attempts to compare and analyze the concept of repentance as it is discussed in Moses Maimonides' "Laws of Repentance" and Joseph Soloveitchik's On Repentance. The purpose of this comparison is to bring to the foreground Maimonides' medieval and Soloveitchik's modern view of how to successfully achieve repentance, and to offer us guidance in our own understanding of the concept of repentance.

The thesis is divided into five chapters. Chapter One provides a discussion of the biographical and philosophical context of Maimonides' "Laws of Repentance." Chapter Two analyzes the "Laws of Repentance" and discusses not only Maimonides' concept of

repentance, but other topics that he relates to it. Hence, Chapter Two analyzes not only the topic of repentance, but the topics of free will, divine providence, and the perfect love of God. Chapter Three provides a discussion of the biographical and philosophical context for Soloveitchik's On Repentance, while Chapter Four examines the concept of repentance as it is developed in his writings. Finally, Chapter Five presents a direct comparison of the style and the ideas developed in Maimonides' and Soloveitchik's respective treatments of the subject and seeks to provide insight as to how Reform rabbis might aid their congregants in their yearly quest for renewal.

Contents

Introduction

Whenever a person speaks of a community, he may be referring to a group of people who may have in common shared norms, behaviors, or values that guide their conduct in relationship to one another. Indeed, this is the definition of a community—a group of individuals who at some level share either a history, a destiny, or a mechanism for connecting the two.

However, when one speaks of a Jewish community, the discussion of what binds the community often deteriorates into a discussion of that which separates its individual members (or even what determines membership). Such a discussion, which often takes place between members of the Reform and Orthodox communities, often focuses on the differences between Halakhic learning and ritual observance. Despite the factors that divide these Jews, however, it must be remembered that all Jews have a shared history, shared values regarding interpersonal behavior, and, for the most part, a shared penchant for learning. In addition, our religious tradition teaches that we all have a relationship with God.

In addition to these similarities one other issue concerns all Jews, the issue of Jewish continuity, not "will Judaism continue," but "what of the previous generations of Jews shall we, modern day Jews, continue to learn and continue to teach?" This is an especially difficult issue for Jews of the Reform Movement, for it goes to the very heart of the issue of personal freedom and choice concerning Jewish rituals and laws, those institutions which differentiate the Reform Movement from its Orthodox counterpart.

Many religious topics fall under the aegis of the aforementioned question. Every practice, custom, tradition, law, ancient, medieval and modern teaching is at issue. What do we adopt, and how do we incorporate it as a meaningful aspect of our lives? As Reform Jews, we should ideally ask these questions about every religious teaching, even if on practical grounds, it is hardly possible for any Reform Jew to address them all, regardless of scholarship.

There were, however, two individuals, who were not Reform Jews, who sought the answers to many of the questions that Judaim and its diverse history posed. Moses Maimonides (1138-1204) and Rabbi Joseph Soloveitchik (1903-1993) each approached the legacy of Jewish learning and living from their respective personal philosophies, as well as their respective time periods.

In their various works, they attempted to develop a framework to guide both the individual and the community in matters of behavior within the Jewish context. In Maimonides *Mishneh Torah,* this meant presenting talmudic dicta in a systematic and comprehensive manner. In Soloveitchik's writings, such as *"Ish ha-*

Halakhah," (1944), "The Lonely Man of Faith," (1965), and On Repentance, (1975), this meant presenting an understanding of the human condition as it related to modern society and *Halakhah.* Because each of these works deals with human action and human interaction that is meant to be guided by specific norms and ideals, if one were interested in comparing their works, it would be instructive to examine one specific area which involved both human action and interaction. The topic of repentance is just such an area, and it is of special interest because it deals with the norms and ideals that should guide our behavior when we have fallen short of adhering to the norm or reaching the ideal.

The focus of this thesis will be an in-depth look into how Maimonides and Soloveitchik approached the topic of repentance in their respective works, *"Hilchot Teshuvah"* of the *Mishneh Torah*, and *On Repentance*. As I approach this task, I will examine particularly those of their writings that directly deal with repentance and those aspects of their philosophies which are directly related to it. As I write, I hope to gain understanding and insight for making the concept of repentance relevant for today's Reform Jews.

A rabbinical thesis is much more than a paper that one fifth-year rabbinical student writes to fulfill a pre-requisite for Ordination. It is, rather, a project whose completion is the achievement of a number of people. I would like to take this opportunity to express my thanks to them.

First and foremost, I'd like to thank my advisor, Dr. Barry S. Kogan. In "doing your job" throughout the past year, you have been

much more than an advisor. You have been a teacher, a rabbi, and a friend. I thank you for your advice, your wisdom and your patience.

I would also like to thank my family: Janet, Gary, Alan, Laura, Mom and Dad, Mimi, Chuck, and the B's: Allan, Ruth and Doug. Without your phone calls of support and words of encouragement (for me and for Debbie), I know it would have been difficult to realize the conclusion of this project and the dream whose conclusion it represents.

Finally, I would like to dedicate my thesis to my wife, Debbie. Nearly seven years ago, you fell in love with a person in whom few had faith. Now, here we are, about to begin living the dream that was always so far "out there." I know we can do it, because, as you have taught me throughout the years, as long as we have love and respect for each other, nothing else matters. I love you, babe. Thanks.

Chapter One

Maimonides and *"Hilchot Teshuva"* : Biographical and Philosophical Context

Biographical Context of Maimonides

It is difficult, if not impossible, to completely characterize a personality such as that of Moses ben Maimon[1]. Codifier, philosopher, physician, or Jew, any one of these qualities would only begin to illuminate the scope of Maimonides' unique place in history.

The son of a rabbinical judge, Maimonides was born in Cordova, Spain in 1138. Despite the elder Maimon's prominence in the Jewish community, however, the Maimon family left Cordoba in 1148 to escape religious persecution. In what might be seen as a search for a place in which the Maimon family could practice their religion openly,[2] Maimon and his family wandered for more than a decade

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[1]Moses ben Maimon is known in the vast literature about him by many names: Maimonides, Rambam, Maimuni, Rabbi Moses, as well as others. For the sake of consistency, I will refer to him as Maimonides or Rambam unless a citation requires differently. Cf. Husik, I., A History of Medieval Philosophy. Philadelphia: JPS, 1946. and Sirat, C. A History of Jewish Philosophy in the Middle Ages. Cambridge: Cambridge University Press, 1985.

[2]Guttmann, Julius; Philosophies of Judaism: The History of Jewish Philosophy from Biblical Times to Franz Rosenzweig, Philadelphia: JPS, 1964, p.153.

until they came to settle in Fez, Morocco in 1159. Unsuccessful in their attempt to escape religious persecution from the Almohades, Maimonides and his family lived a Jewish life of secrecy and may have even adopted, albeit externally, the laws of Islam for the purpose of protecting themselves from their rulers.[3] Because of the difficulties in Morocco, their stay was short lived. In 1165 the whole family, again, set out to find a place to live. They originally planned to settle in Palestine, but they changed their minds after they visited and realized how physically rugged and unsuitable the place was. They finally settled in Fostat, Egypt, a town near Cairo. Soon after their arrival in Egypt, the elder Maimon died.

Freed from the tyranny of the Almohades, Maimonides flourished—materially, intellectually and spiritually. First as a jewel merchant in partnership with his brother, Maimonides enjoyed a comfortable lifestyle until his brother met an untimely death in a shipwreck on the Indian Ocean. Faced with an uncertain future, Maimonides turned to the practise of medicine. Having studied the human body and its processes, Maimonides became a masterful healer. His medical ability helped him to excel in the pursuits of medicine, taking care of patients, and the like. But his intellectual

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[3] There is a great deal of disagreement as to whether or not Maimonides and or his family ever converted to Islam or even practiced it outwardly. While some, such as Sirat, claim that this belief was only a rumor attached to many of the "Jewish savants," others such as Husik claim that there is some evidence which links this controversial practice to the family of Maimonides.

capacities allowed him to excel in the scholarly world of medicine, as well.[4]

"Considering medicine not merely a way to make a living but an art of vital importance to the maintenance of human life, Maimonides invested it with the same diligence and lucidity he brought to everything he valued."[5] As a result of his diligence, his prominence as a physician grew and word of his learning in Philosophy and in the "Greek" sciences spread as well. It was these pursuits that led him, in 1171, to be retained by the Fatimid court.

Maimonides continued to serve the royal court even after the Fatimid dynasty was overthrown and the new ruler, Saladin, came into power. With his prominence as a physician well established, Maimonides became personal physician to al-Fadil, *vizier* to Saladin. Despite his busy and hectic schedule at the court, Maimonides did find time for other pursuits. Because of his zeal for intellectual pursuits, he dedicated many of his free moments, however few, to the study of medical texts, "for he felt urgently the need to exercise full command of the science behind his art and was not satisfied unless he could explain his diagnoses and prescriptions scientifically according to the best knowledge of the day."[6] As Maimonides knowledge in medicine grew so did his fame, for his self-edification

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[4]Maimonides accomplishments were many, and he was greatly prolific. However, this essay will deal only with his achievements as they relate to his work in philosophy.

[5]Goodman, Lenn Evan. RAMBAM, Readings in the Philosophy of Moses Maimonides. New York: The Viking Press, 1976, p. 10.

[6]Ibid., p. 11.

took the form not only of study, but manifested itself in his many writings.

Given his rigorous schedule in the court, and his self-imposed personal work ethic it is difficult to imagine how he found the time for Judaic study. However, when he was only 30, in 1168, Maimonides completed his commentary to the *Mishnah*, and his code of Jewish law, the *Mishneh Torah*, a systematic and cogent approach to the vast corpus of Rabbinic law was finished in1177. Also known as *Yad ha-hazakah*,[7] this work, originally rendered in clear rabbinic Hebrew, became widespread and brought Maimonides even greater fame as a legal scholar. However, fame did not come without its price. As it became popular, the *Mishneh Torah* also became divisive within the greater Jewish Community. There are some writers, in fact, that claim that Maimonides' motives in writing the *Mishneh Torah* were destructive rather than constructive to the Jewish community.

> Some scholars have posited a socio-political motive for the composition of the *Mishneh Torah*. They see it as Maimonides' attempt to subvert the dominant rabbinic oligarchy, to undermine the influence of an insensitive, seemingly entrenched, religious establishment which lorded it over its charges. The popularization of *Halakhah* through the *Mishneh Torah*, the conversion of Jewish law

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[7]The *Mishneh Torah* is often referred to as *Yad ha-Hazakah*, or Strong Hand. "Y-A-D" is the Hebrew numerical equivalent of 14, which is the number of books in the work.

from an esoteric to an exoteric discipline, would threaten the exclusive authority of the rabbinic leadership class.[8]

While the *Mishneh Torah* was a great achievement, it was not as widely accepted as Maimonides had hoped it would be.

The writing of the *Mishneh Torah* did a great deal to spread Maimonides' fame from beyond the immediate Jewish community of Egypt and northern Africa to the greater Jewish community throughout Europe. The *Mishneh Torah* had earned Maimonides a high level of respect as a scholar devoted to Jewish tradition, and his Responsa and a letter to the Jews of Yemen[9] showed others that he was a man devoted to the spiritual well-being of the Jewish people. But there was more to Maimonides than his devotion to the Jewish people and their heritage.

Having extensively studied the philosophies of Plato, Aristotle, and al-Farabi, Maimonides realized that the words of the Torah, if read without understanding, could lead one to speculation based on imagination, not reason and this could have detrimental effects such as taking the Torah too literally and either conceiving of God in an

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[8]Twersky, I. "The *Mishneh Torah* of Maimonides," *Proceedings of the Israel Academy of Sciences and Humanities* Vol. V, No. 10 (Jerusalem, 1976), 265-296. in Studies in Jewish Law and Philosophy. New York: KTAV, 1982, p. 79.

[9]In 1172, Maimonides composed a letter to the Jewish community of Yemen. Known as *Iggeret Teman*, the letter reassured a community that was faced with the option of accepting a false forerunner of the Messiah or death. Their troubles were compounded by a Jewish scholar who encouraged them to the former. Maimonides' letter encouraged and uplifted the Jewish community by reminding them of God's promises on their behalf.

incorrect fashion or acting in a manner which is not in agreement with the ways prescribed by Jewish tradition.

As a result of the tension created by the contradictions between one's understanding of philosophy and one's belief in Divine revelation, Maimonides wrote, in Arabic, what many call his *magnum opus*, the *Moreh Nebukhim*, or Guide of the Perplexed. The *Moreh*, whose aim was to help the "perplexed" student of Torah know its true meaning, did a great deal to move Maimonides ahead in the field of Jewish philosophy. For in this work, he did a great deal to bring Torah and the outlook of philosophic Reason into harmony.

Unlike the *Mishneh Torah*, which was meant for a mass audience, the Guide was meant for a more selective audience, namely, Maimonides' student Joseph ibn Judah ibn Sha'mun and those like him. Joseph was a dedicated student, who, under Maimonides' close tutelage and guidance, became learned in mathematics and astrology. As Maimonides realized that Joseph was truly a gifted student, he saw that Joseph was "worthy to have the secrets of the prophetic books revealed to [him] so that [he] would consider in them that which perfect men ought to consider."[10] Maimonides teachings to his student included a discussion of the *Mutakallimun*, the rationalist theologians. Because of the limited and unsystematic exposure to theological speculation that Joseph had

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[10]Maimonides, The Guide of The Perplexed, Vol I, trans. Shlomo Pines, Chicago: University of Chicago Press, 1963, p. 2a

acquired over the years from those other than Maimonides himself, Maimonides wrote to him

> as I also saw, you had already acquired some smattering of this subject from people other than myself; you were perplexed, as stupefaction had come over you; your noble soul demanded of you to *find out acceptable words.* (Eccles. 12:10)[11]

The true impetus for Maimonides to write the Guide came when Joseph left Fostat. "Your absence moved me to compose this Treatise, which I have composed for you and those like you, however few they are."[12]

The Guide was written for those perplexed individuals, like Joseph, with a dual purpose.

> The first purpose of this Treatise is to explain the meanings of certain terms occurring in books of prophecy....It is not the purpose of this Treatise to make its totality understandable to the vulgar or to beginners in speculation, nor to teach those who have not engaged in any study other than the science of the Law—I mean the legalistic study of the Law. For the purpose of this Treatise and of all those like it is the science of Law in its true sense.[13]

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[11]Ibid., p. 2b.

[12] Guide, op. cit., p.4.

[13]Ibid. p. 5.

> This Treatise also has a second purpose: namely, the explanation of very obscure parables occurring in the books of prophets, but not explicitly identified there as such.[14]

The Guide's purpose was to enlighten the mind of a unique student, like Joseph, who because of his understanding of logic, mathematics, and certain elements of metaphysics experienced conflict with what he understood from reading in the Bible. The Guide was to help the learned student understand the mysteries and hidden meanings of the Bible.

From this account, one might suppose that Maimonides devoted his life solely to his medical, Judaic and intellectual pursuits. However, this conclusion would be unwarranted. For in addition to all of the aforementioned accomplishments, Maimonides did have time to marry, twice, and raise his son Abraham into a scholar in his own right.

Maimonides died in 1204 and was buried, according to his wishes, in *Eretz Yisrael*, in Tiberias. Given his many accomplishments, the epitaph which was, at one point, later added to his gravestone seems appropriate: *"Mi-Moshe le-Moshe lo kam ke-Moshe* — From Moses to Moses there arose none like Moses."

The Philosophical Context of Maimonides

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[14]Ibid. p. 6.

"Moses ben Maimon began his life's work as a philosopher and concluded it as one."[15] So wrote Simon Rawidowicz in his essay, "Philosophy as Duty." Indeed, beginning with the writing *Millot ha-Higgayon*, a work of his youth, and ending with the monumental *Moreh Nebukhim*, his final "philosophic work," Maimonides established himself as a philosopher before all else, and "always considered himself as the first philosopher in Jewry."[16]

Whether or not Maimonides was truly "the first philosopher in Jewry" can only be determined through an understanding of his philosophical background. Here, I will briefly discuss the philosophical context which is pertinent to the study and understanding of *Hilchot Teshuvah* in the *Mishneh Torah* . The main task in this connection is to clarify Maimonides' ideal of human perfection, the ideal life towards which man should ultimately strive. How should one describe that life? And, finally, what are the pre-requisites of such a life?

In order to answer these questions, it is helpful to explore Maimonides' famous "parable of the palace":

> The ruler is in his palace, and all his subjects are partly within the city and partly outside the city. Of those who are partly within the city, some have turned their backs upon the ruler's habitation, their faces being turned another way. Others seek to reach the ruler's habitation, turn towards it, and desire to enter it and to stand before

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[15]Rawidowicz, Simon. "Philosophy as Duty" in Studies in Jewish Thought. ed. Nahum N. Glatzer. Philadelphia: JPS, 1974. p. 305.

[16]Ibid., ibid.

> him, but up to now they have not yet seen the wall of the habitation. Some of those who seek to reach it have come up to the habitation and walk around it searching for its gate. Some of them have entered the gate and walk about in the antechambers. Some of them have entered the inner court of the habitation and have come to be with the king, in one and the same place with him, namely, in the ruler's habitation. But their having come into the inner part of the habitation, it is indispensable that they should make another effort; they will be in the presence of the ruler, see him from afar or from nearby, or hear the ruler's speech or speak to him.[17]

In his ensuing explication of the parable, Maimonides divides the people into several categories:

(1) Those who are outside the city. These, Maimonides claims, are those who neither have doctrinal belief nor accept the authority of tradition; they are the uncivilized whose rank is between that of humans' and apes'.

(2) Those who are within the city but face away from the palace. These are the individuals who engage in speculation, but, for whatever reason, fail to correctly interpret that which they have studied, and, for that reason, espouse incorrect opinions and beliefs. Maimonides states that this group is , so low that "necessity at certain times impels killing them." His severity towards this group is

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[17]Guide, op. cit., III:51, p. 618.

due to the potential for calamity that their teaching others incorrect opinions and conclusions might have.

(3) Those who seek the ruler's habitation and to enter it, but have never seen the ruler's habitation. These are the masses who blindly follow the Law. They represent "the ignoramuses who observe the commandments."[18]

(4) Those who approach the palace and search for a way to enter. These are the people whose study and follow *Halakhah* is based solely on their reliance on the traditional authority of the Law. They understand the practices concerning the divine service, but they "do not engage in speculation concerning the fundamental principles of religion and make no inquiry whatever regarding the rectification of belief."[19]

(5) Those who have entered the gate and walk around in the antechambers. These are those who "have plunged into speculation concerning the fundamental principles of religion."[20] These people are to be distinguished from the previous class in that in addition to following *Halakhah*, they have taken the step forward into speculation, and, hence, represent an advanced rank over common halakhists.

(6) Those who have reached the inner court and have succeeded in entering the ruler's company. This is the person who has come to know all that it is possible to know with regard to matters of demonstration and has ascertained all that may be

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[18]Ibid., p. 619.

[19]Ibid.

[20]Ibid.

ascertained with regards to divine matters. In other words, if one has "achieved perfection in the natural things and . . . understood divine science," then that person has entered into the inner court and has come to be with the king.

The six categories of people outlined in the explication of this parable indicate different lifestyles people may choose and the relative worth Maimonides assigns to them. For instance, in comparing categories (1) and (2), Maimonides apparently would rather have individuals be totally devoid of belief and tradition, than have incorrectly trained individuals teaching beliefs and opinions that are unfounded and potentially dangerous.

While the distinction Maimonides makes between categories (1) and (2) might be understood in the light of "the lesser of two evils" it is less clear how categories (5) and (6) are to be understood. In distinguishing these two categories, Maimonides implies that those men who have achieved a high level of understanding of the sciences achieved a higher degree of perfection and closeness to God than those who blindly follow the route of *Halakhah.* In fact, this implication was the source of much controversy between those who believed, like Maimonides, that the conception of the intelligibles teaches true views of divine things[21] and the adherents of the belief that adherence to *Halakhah* and moral perfection are superior in value to intellectual perfection. The question underlying all of this is,

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[21]Cf. Husik, I., op. cit., and Altmann, Alexander. "Maimonides' Four Perfections" Revised reprint from M. J. Kister et. al. (ed.), Israel Oriental Studies, II (1972): 15-24. In Essays in Jewish Intellectual History. Hanover: University Press of New England, 1981.

of course, which is the life superior in value, the philosophic or the halakhic?

For obvious reasons, those readers of the Guide who followed a traditional approach to Torah rejected with the first of these views and the mere suggestion that *Halakhah* was not the road towards ultimate communion with and love for God. In fact, there are those, such as Shem Tov ben Joseph ibn Shem Tov[22] who dismissed this connection out of hand and suggested that whether or not Maimonides actually wrote this passage[23] that entire portion of the explanation of the parable should be burned![24]

Shem Tov's reaction is certainly harsh and extreme. However, there are passages in the Guide which lend credence to the latter of the aforementioned views, that a moral life is a subordinate to ultimate perfection the intellect.

In his discussion of the five causes which prevent the mastery of divine science, Maimonides includes in the fourth cause "it has been explained, or rather demonstrated, that the moral virtues are a preparation for the rational virtues, it being impossible to achieve true, rational acts—I mean perfect rationality—unless it be by a man thoroughly trained with respect to his morals and endowed with the

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[22]In his commentary to Guide, at III:51. Cf. Menachem Kellner. "Exposition of Guide III:51-54" in Maimonides on Human Perfection. Atlanta: Scholars Press, 1990, p. 73.

[23]Some rabbinic scholars could not deal with the fact that Maimonides had actually written chapters 51-54 of part III of the Guide and had suggested that, perhaps, these final chapters were written by someone else. Cf. Ibid., p. 15-16.

[24]Kellner, op. cit., p. 15.

qualities of tranquillity and quiet."[25] This passage instructs the reader that in order to begin to study the sciences, one must already possess a thorough training in acquiring moral virtues. But this passage is not alone in highlighting this connection.

In another section of the Guide, Maimonides suggests that the purpose of law is twofold: the welfare of the soul and the welfare of the body, with the former dependent upon the latter. The welfare of the body, Maimonides explains, consists of two things: (a) the betterment of society by the abolition of people wronging each other and (b) "the acquisition of by every human individual of moral qualities that are useful for life"[26]. The text continues later in the same chapter that "this noble and ultimate perfection," that is, perfection of the soul, "can only be achieved after the first perfection has been achieved."[27]

Shem Tov understood Maimonides' classification of individuals as one which rejected the virtue of following the *Halakhah* and leading a life of moral uprightness as a vehicle to communion with or love of God in favor of one which saw the "road" to God as being paved only with books of the sciences. However, the aforementioned passages indicate that Shem Tov's conclusion was not entirely correct. For while the parable in the Guide, 3:51, itself, may point to such an interpretation, it is clear from other passages in the Guide that the moral perfection gained by following the *Halakhah* could be seen as a necessary precursor to intellectual perfection

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[25]Guide I:34. p. 77.

[26]Guide III:27. p. 510.

[27]Ibid, p. 511.

As we have seen, Maimonides discusses ways of classifying individuals with respect to their achievement of ultimate goals. In Section III, Chapter 54 (p. 632ff.) of the Guide (the final chapter of the work) Maimonides, in a discussion of the meaning of *hokhmah* or wisdom, includes a discussion of the four species of perfection found in man: perfection of possessions, bodily perfection, moral perfection, and intellectual perfection.

Material perfection, the first perfection, Maimonides suggests, is the most deficient of the four, because it is entirely external to the self. It refers to those possessions which do nothing but adorn the person and do nothing to better the person from within. They have no permanence, and when they are lost the person is as he was before, as if nothing had ever existed.[28]

The second perfection, bodily perfection, is not as external as material perfection, yet it still has an element of being "surface" oriented. It refers to the shape and form of the body only, and does little to add to the perfection of the self. While bodily perfection might have some benefit, like the first perfection, no great utility for the soul may be derived from it, and it should not be seen as an end unto itself.

The third perfection, moral perfection, "consists in the individual's moral habits having attained their ultimate excellence."[29] This perfection might seem to represent the highest. However, as Maimonides points out, it, too, is a preparation for something else,

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[28]Guide III, 54. p. 634.

[29]Ibid., p. 635.

and not an end in itself. The truth of this statement lies in the fact that moral habits are only useful when a person is in the presence of others, when a person lives in a society where he has to get along with other people. "For if you suppose a human individual is alone, acting on no one, you will find that all his moral virtues are in vain and without employment and unneeded, and that they do not perfect the individual in anything; for he only needs them and they again become useful to him in regard to someone else."[30]

> The fourth species is the true human perfection; it consists in the acquisition of the rational virtues—I refer to the conception of intelligibles, which teach true opinions concerning divine things. This is in true reality the ultimate end; this is what gives the individual true perfection, belonging to him alone; and it gives him permanent perdurance; through it man is man. ...Therefore you ought to desire to achieve this thing, which will remain permanently with you. . .[31]

The third and the fourth perfections awaken a seemingly paradoxical situation. If one were to read them independently of each other, one might conclude that intellectual perfection (the fourth perfection) can be achieved without the moral perfection described as the third perfection. Menachem Kellner, in his book Maimonides on Human Perfection argues that this conclusion is unwarranted.

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[30]Ibid.

[31]Ibid.

Based on the understanding of the parable, the perfections, and the stress Maimonides puts on moral attributes, we can begin to understand what sort of life Maimonides would deem "ideal." The Guide clearly points to the acquisition moral virtues and of intellectual virtues as the goal to which man should strive, and he clearly describes what one who achieves this ultimate perfection will be like. However, he does not specifically explain how one should behave in order to achieve this goal. For this explanation, we need to examine Maimonides' "Eight Chapters," in which he presents a system by which one can attain high moral virtue and, hopefully, then, ultimate perfection.

Maimonides system has at its core the idea of "the Mean." That is not to say mathematical mean, rather, a golden mean of action. In his discussion he diagnoses "sick souls" as "those who do not know what is harmful or useful to them."[32] He attributes their actions either to an excess in some virtue or its deficiency. Good actions, he then suggests,

> are those balanced in the mean between two extremes, both of which are bad; one of them is an excess and the other a deficiency. The virtues are states of the soul and settled dispositions in the mean between two bad states [of the soul], one of which is excessive and the other dificient. Certain actions necessarily result from these states [of the soul].[33]

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[32]Maimonides, "Eight Chapters". in Weiss, R. & Butterworth, C. Ethical writings of Maimonides. New York: Dover, 1975, p. 67.

[33]Ibid., p. 67.

This statement could be further understood with the following example: when discussing the virtue of self-esteem, a person who has this virtue in excess will be conceited, in deficiency will be self deprecating. However, the person who exists between these two extremes will be humble and well-adjusted. This is what is meant by the mean. "Virtue, therefore, consists in the habitual making of choices in accordance with the standards of good judgment. This model is extendible to other virtues..."[34] Virtue, then becomes subject to the practical intellect, for the role of the intellect, here is crucial.

In the "Eight Chapters," Maimonides also provides a prescription for the ills of the soul. He shows that by adhering to the mean in one's inner dispositions, one can, in general, achieve the highest level of moral virtue. The highest level of moral virtue, that is, always making the appropriate choice, thus becomes the stepping-stone towards achieving perfection of the intellect, the fourth and highest perfection. It is, indeed, a difficult prescription to fill.

For the average man, and perhaps for even the most excellent of men, Maimonides prototype for moral perfection might seem extremely difficult, but not impossible, to achieve. In fact, throughout the literature, the only person who is ever mentioned when discussing perfection is Moses, but just as it is said of all men, so, too is it said of Moses "it is impossible for a man to be without

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[34]Goodman, op. cit., p. 254.

some deficiency,"[35] for the closest a man can come to perfection is human perfection and not divine perfection.[36]

Hilchot Teshuvah in the Context of the *Mishne Torah*

In compiling the *Mishneh Torah* , Maimonides had the

> view of putting together the results obtained from the study of the Oral law in regard to what is forbidden or permitted, clean or unclean, and the other rules of the Torah..., so that thus the entire Oral Law might become systematically known to all, without citing difficulties and solutions or differences of view,, one person saying so, and another something else,..., for the reason that a person who first reads the Written Law and then this compilation, will know from it the whole of the Oral Law....[37]

Through the *Mishneh Torah*, Maimonides, in effect, made the entire corpus of Oral Law accessible to "young and old."[38]. He examined all of the arguments in the Talmud and rendered all of the final rulings. These rulings, he thought, would aid the one who studies Torah. With only final rulings to study and not the cumbersome and often unresolved disputes, one could spend more

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[35]Ibid., p. 232.

[36]Ibid., footnote #14.

[37]Maimonides. *Mishneh Torah*. trans. Moses Hyamson, Jerusalem: Feldheim Publishers, 1981, p. 4b.

[38]Ibid.

time studying the Torah and philosophy and less time wading through the sea of rabbinic literature. Maimonides saw this document clearly within the line of rabbinic authority, as he spends the greater part of the introduction tracing the 40 generations from *Mosheh Rabbeinu* to Mosheh ben Maimon.[39]

One can only speculate as to the deep level of understanding Maimonides must have had of the Rabbinic literature. However, as his work spread to the reaches of European Jewry, it came under increasing scrutiny and criticism. Opponents objected to the work on three grounds.

First, the rulings in the *Mishneh Torah* were often based on variant readings, and Maimonides made no effort to reflect the pluralism with which the Talmud presents its varied and often conflicting views. He did not cite his sources, and because of the aforementioned problems, some of the rulings were hard to trace.

The second objection was made by those European rabbis who thought the work was presented and arranged so clearly that those who had access to it would be able to find any answer to a legal problem with the ease of not having to look at a single folio of the Talmud. Since many of the Jews of the time could not read the Talmud, the ease with which information could be secured via the *Mishneh Torah* would cause a decline in the number of young men opting for a lifetime of Torah study. While Maimonides intended his

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[39]The parallel between *Moshe Rabbeinu* and Moses Maimonides is not coincidental. In fact, many scholars, in noting the greatness of Maimonides, often make this connection.

work to make the legislation accessible, he also intended his work to be a compendium only, not an entire replacement to Talmud study.

The third major criticism of the work was that the clear, concise and logically compelling presentation of the *Mishneh Torah* came across as authoritative. The European rabbis feared this because it went against the traditional view that for the Law to continue, it must not become fixed,[40] rather it should remain dynamic. Despite these varied criticisms of the *Mishneh Torah*, it remains a work whose pages are still studied to this day.

One of Maimonides' greatest achievements in the *Mishneh Torah* was the clarity with which he arranged the work. That is why it is peculiar that he began a predominantly halakhic work with a philosophical treatise, *Sefer ha-Madda.*

Commonly referred to as "The Book of Knowledge,"[41] *Sefer ha-Madda* contains

> in it all the precepts which constitute the very essence and principle of the faith taught by Moses, our teacher, and which is necessary for one to know at the outset; as

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[40]It is interesting to note that while certain communities, such as France, fought to prevent Maimonides' work from becoming the authority in Talmudic law, other communities, such as the Yemenite community adopted the codex and made it central to their Talmud study.

[41]As Simon Rawidowicz points out in "On Maimonides *Sefer ha-Madda*," in Studies in Jewish Thought, op. cit., the term "knowledge" for the Hebrew *"madda"* is not the only, nor is it the closest translation. A less equivocal translation would for *madda* would be "belief" which comes from original Arabic *"i'tiqad."* Another alternative would be "mind," the place of knowledge or belief.

for example, acceptance of the unity of God, and the prohibition of idolatry.[42]

The major classes of *halakhot* included in the first book are: the laws concerning the foundations of the Torah; laws concerning character traits; laws concerning the study of the Torah; the laws concerning idolatry and the institutions of the gentiles; the laws concerning repentance.[43]

In the Guide of the Perplexed, Maimonides includes repentance as "one of those principles which are indispensable element in the creed of the followers of Torah."[44] Despite the fact that this statement comes from the Guide, which was written later, it does show the high level to which Maimonides assigns repentance. Exactly why Maimonides refers to repentance as "an indispensable element," and exactly where it fits within his philosophical schema, will be discussed in the next chapter.

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[42] *Mishneh Torah*. p. 18a.

[43] Ibid., p. 19b.

[44] Guide, III,36.

Chapter Two

Repentance in Maimonides' "Hilchot Teshuva"

Chapter one attempts to answer some critical questions as to the importance of the concept of repentance within the Maimonidean framework. As we noted above, Maimonides refers to the act of repentance within his Guide of the Perplexed, but his comments do not treat the subject systematically. On the other hand, in *Sefer ha-Madda* of the *Mishneh Torah*, Maimonides devotes an entire section to a systematic discussion of repentance. This discussion unfolds within the section of the book entitled *"Hilchot Teshuvah"* or "Laws of Repentance."

Of all of the books of the *Mishneh Torah*, *Sefer ha-Madda* can be understood as the most philosophical in nature. Leo Strauss, a prominent and careful reader of Mamonides' works writes,

> within the *Mishneh Torah* philosophy seems to be most powerfully present in the First Book, the Book of Knowledge.[1]

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[1]Strauss, Leo. "Notes on Maimonides' Book of Knowledge," Studies in Mysticism and Religion Presented to Gershom Scholem. eds. E. E. Urbach, et. al. Jerusalem: Magnes Press, 1967. p. 269.

While the remainder of the books of the *Mishneh Torah* consist of the details of *Halakhah* such as: when to say *Shema* and when and how to wear religious garments (*Sefer Ahavah*), those related to the seasons (*Sefer Z'manim*), those related to the duties and rules with regard to women (*Sefer Nashim*), and the other ten books[2], only the first book, *Sefer ha-Madda* deals with issues at the core of Jewish faith.

"*Hilchot Teshuvah*," or the "Laws of Repentance" can be found at the end of *Sefer ha-Madda* following the sections "*Yesode ha-Torah*," the foundations of the Torah, "*De'ot*," ethics, "*Talmud Torah*," the study of Torah, "*Avodah Zarah v'Hukkot ha-Goyim*," idol worship and the laws concerning the Gentiles. Strauss comments on the order of these laws, "the plan of the *Mishneh Torah* and all of its parts must be presumed to be as rational as possible. This does not mean that the plan is always evident."[3] While Strauss' comments are generally true, they may be overstated in this case considering what Maimonides says about the purpose of the *Mishneh Torah* in his introduction. After discussing the immense knowledge needed to sift through and understand the tremendous corpus of rabbinic teaching, Maimonides writes

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[2]The other ten books of the *Mishneh Torah* include: *Sefer Kedushah*, *Sefer Hafla'ah*, *Sefer Zeraim*, *Sefer Avodah*, *Sefer Korbanot*, *Sefer Taharah*, *Sefer Nezikim*, *Sefer Kinyan*, *Sefer Mishpatim*, and *Sefer Shoftim*. See Mishneh Torah: Sefer ha-Maddah: The Book of Knowledge. ed. and trans. Moses Hyamson. New York: Feldheim Publ., 1981, pp. 18a-20b.

[3]Strauss, op. cit., p. 274.

> on these grounds, I, Moses the son of Maimon the Sefaradi, bestirred myself, and, relying on the help of God, blessed be He, intently studied all these works, with the view of putting together the results obtained from them in regard to what is forbidden or permitted, clean or unclean, and the other rules of the Torah—all in plain language and terse style, so that thus the entire Oral Law might become systematically known (*sedurah*) to all,[4]

Given Maimonides admission of a systematic approach within the *Mishneh Torah*, the question is not "is this a rational system" as Strauss seems to suggest, but "how is this system rational?" In other words, to what extent are the first four sections of the Book of Knowledge related to the final section, "The Laws of Repentance?" To this question, Strauss provides a clear and concise answer. "Their rationale is solely that without their acceptance repentance would be impossible; they are purely practical, i.e., they are more practical than the dogmas concerning prophecy and the Torah of Moses, for revelation also discloses theoretical truths; or, to use a distinction made by Maimonides in the Guide (III, 28), they are opinions that ought to be believed not so much on account of themselves as because they are necessary for the improvement of human living together."[5] The act of repentance, then, seems to be a culmination of the various *mitzvot* enumerated in the first four chapters of *Sefer ha-Madda*. How these issues manifest themselves in repentance can

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[4]Maimonides, op. cit., p. 4b.

[5]Strauss, op. cit., p. 280.

only be explained by way of a discussion of the "Laws of Repentance" themselves.

The "Laws of Repentance" are based on one affirmative precept only, namely, "that the sinner shall repent of his sin before the Lord and make confession."[6] The ten chapters that follow expound upon this one precept. However, like the entire *Mishneh Torah* itself, the "Laws of Repentance" are not haphazardly compiled. Rather, the chapters are arranged and will be discussed according to the following topics: the need for confession and perfect repentance (1-4), man's individual freedom (5-6), the exalted rank of repentance (7), the world to come as the highest reward (8-9), and, finally, how to serve God out of love rather than fear (10).

The Sinner In "The Laws of Repentance"

Chapter one of the "Laws of Repentance" begins with the positive commandment that people must confess their sins before God and repent. Rather than discuss the assumption this statement makes, namely, that individuals sin and are in need of repentance, Maimonides accepts the fact that people sin as a given. Thus, he does not focus on what causes man to sin, but rather the means of changing one's status after having sinned. The status of the sinner, is emphasized in Chapter 3.

[6]Maimonides, op. cit., p. 81b.

> Every human being has merits and iniquities. One whose merits exceed his iniquities is righteous. He whose iniquities exceed his merits is wicked.[7]

Further, Maimonides adds that the number of the sins is not as important as the nature of one's sins and their relative severity.

> This valuation takes into account not the number but the magnitude of merits and iniquities. There may be a single merit that outweighs many iniquities, as it is said,"Because in him there is found some good thing" (I. Kings 14:13). And there may be one iniquity that counterbalances many merits, as it is said, "But one sin destroys much good" (Eccles. 9:19). The valuation is according to the knowledge of the omniscient God. He alone knows how to set off merit against iniquities.[8]

Maimonides is presented with a precept in the Torah that commands people to confess their sins. However, faced with the obvious question of "how does one know if they are in a state of sin," he points to the person himself, namely, if one has built up more iniquity than merit, then he is a sinner. Maimonides begins with a general observation that seems quite realistic, everybody has merits and iniquities. In other words, no one is without some of each. The determination of one's status as sinner, righteous person, or intermediate figure is determined by the preponderance of one's deeds. On this account everyone, even the most righteous person

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[7]Ibid., 3:2, p. 83b.

[8]Ibid., 3:2, pp. 83b-84a.

will have sins to confess, not to mention those who are less righteous. The individual must obviously investigate his behavior to make confession. Even though he does not know the valuation of each of his sins and merits, he will know he is not exempt.

With this assumption firmly in place, Maimonides turns his discussion to the precept itself. What does it mean that "the sinner shall repent his sin before the Lord and make confession"? What does it mean to repent, and what is the role of confession?

The Need For Confession and Perfect Repentance

In Chapters 1 and 2, Maimonides focuses his discussion on two equivocal terms in the precept, confession and repentance.

> With regard to all the precepts of the Torah, affirmative or negative, if a person transgressed any one of them, either willfully or in error, and repents and turns away from his sin, he is under a duty to confess before God, blessed be He, as it is said, "When a man or woman shall commit any sin that men commit, to do a trespass against the Lord, and that person be guilty, then they shall confess their sin which they have done" (Num. 5:6-7).[9]

In this passage, Mamonides clearly illustrates how he relates confession and repentance. Namely, confession is an integral part of repentance. Again, relying upon the Torah for the context, Maimonides specifies that it is confession, in part, which enables repentance to take place. The simple assertion that confession is a

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[9]Ibid., 1:1, p. 81b.

necessary aspect of repentance, however, is not sufficient instruction to the sinner who needs (or wants) to confess.[10] Therefore, it is not surprising that within the context of this elucidation, Maimonides specifies the need for oral confession, and, in fact, includes the very words necessary for an adequate confession.

> I beseech Thee, O Lord, I have sinned, I have acted perversely; I have transgressed before Thee, and have done thus and thus, and lo, I repent and am ashamed of my deeds, and I will never do this again.[11]

By highlighting the need for confession and by providing the exact words for the sinner, Maimonides underscores the importance he attributes to the act of confession. It is interesting to note that while Maimonides does propose a formula for confession, he does not intend this formula to be the only method for fulfilling the act of confession. In a brief sentence he states "the fuller and more detailed the confession one makes, the more praiseworthy is he."[12]

This simple sentence indicates Maimonides' willingness to allow, within his conceptions of *Halakhah*, for differences between individuals. Despite part of the *Mishneh Torah's* target audiences as those not as well versed in rabbinic learning (i.e. the masses), in addition to the scholarly class, the indivudual who is capable of

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[10]It must be remembered that one of the goals of the *Mishneh Torah* was to provide the untutored masses with a "handbook" of religious practice, one which would allow the unlearned individual to access and utilize rabbinic dicta without having to trace it through the corpus of rabbinic literature.
Cf. Cohen, A. The Teachings of Maimonides. New York: KTAV, 1968, p. 15.

[11]Maimonides, op. cit., 1:1, p. 81b.

[12]Ibid.

making a fuller and more specific or detailed confession is deemed as "more praiseworthy." That is not to say that an erudite person will be given better or more complete forgiveness. Rather, that by searching out and telling the whole truth, they will deserve higher praise, than the one who simply and tersely voices his confession.

The issue of "praiseworthiness" and confession raises an interesting question. How is it that a person, by virtue of their ability to speak clear truth in full detail, is deemed more "praiseworthy" than the person who simply confesses his sins? Maimonides addresses this issue by way of his comments on the role punishment and the scapegoat.

> So, too, those who incurred the judicial penalty of death or punishment of stripes, do not obtain forgiveness by suffering death or receiving stripes unless they repent and confess. Similarly, one who inflicted a wound on another person, or caused him monetary damage, even though he pays what is due to the injured party, does not obtain pardon till he confesses and penitently resolves never to commit the same offence again.[13]

> The scapegoat atoned for all transgressions mentioned in the Torah, both light and grave, whether committed presumptuously or in error, whether the offender became aware of his transgression, or did not become

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[13]Ibid.

aware of it; for all sins the scapegoat atoned, provided the offender repented.[14]

These two citations illustrate that it is not the quantifiable elements of the confession such as length, clarity, and word choice that make it acceptable, but it is the quality of the confession, the sincerity of the confession which dictates its merit. The former example notes that the confession must include a resolve for the future, while the latter shows how strong this resolve must be. Even the scapegoat, which was "atonement for all Israel"[15] was not enough to cleanse the Israelite who did not sincerely confess.

Confession, to be sure, plays a crucial role in the avenue of repentance. But just as there are different forms of confession, so, too, are there different forms of repentance.

In Chapter 2 of the "Laws of Repentance," Maimonides makes the distinction between simple repentance and perfect repentance, a distinctintion which relates to the above discussion of confession. The main difference between the two includes not only resolve for the future, as in the case of confession, but the ability to commit the sin in the future. In Chapter 2, section 2 of the "Laws of Repentance," Maimonides explains

> What is repentance? It consists in this, that the sinner abandon his sin, remove it from his thoughts, and resolve in his heart never to repeat it, as it is said, "let the wicked

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[14]Ibid., 1:2, p. 82a.

[15]Ibid.

forsake his way, and the man of iniquity his thoughts" (Is. 55:7);[16]

With this explanation of repentance, Maimonides incorporates the distinction he made in his discussion of confession. Namely, like confession, repentance involves a resolve for a future act. Before repentance can take place, the sinner must look introspectively and vow never to repeat his sin.

Maimonides develops this thought in the next section when he explains that a person must follow his words with appropriate actions. If a person makes a confession that is less than sincere and less than appropriate he "is like one who baptizes himself and keeps in his hand a creeping thing. Unless he casts it away, his baptism is useless."[17] Thus, for Maimonides, it would seem that repentance is easily achieved. For one to repent, he simply needs to utter a formulaic, albeit sincere, confession, and make sure he follows his words with actions. Despite our interpretation of Maimonides' claim, this is not an easy task. Why then, does he begin Chapter 2 with a discussion of "perfect repentance?" What is it about this "perfect" repentance that makes it better than simple repentance?

The answer to this question lies in the individual's ability to repeat the sin. More specifically, it lies the the combination of the person's physical and psychological disposition.

> What is perfect repentance? It is when an opportunity presents itself for repeating an offence once committed,

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[16]Ibid., 2:2, p. 82b.

[17]Ibid., 2:3, p. 82b.

> and the offfender, while able to commit the offence, nevertheless refrains from doing so, because he is penitent and not out of fear or failure of vigour.[18]

The classic example of the important distinction between the two types of repentance, one which Maimonides employs, is the example of the person who engages in illicit sexual intercourse. If a that person is given the same circumstances to repeat the act and he is fully capable of committing the act (his physical and psychlogical powers are unabated) yet he nevertheless refrains from committing the act, then he is deemed to be perfectly repentant. However, if he is placed once again in the same situation and is able to repeat the same behavior, yet he refrains from doing so because of his old age, or his impotence, or his mind having become dulled and his capacity to act having been weakened, then, while he is repentant, his repentance is not considered perfect.

The acts of confession and repentance, thus, are clearly related. Not only are they related because, as Maimonides understands, confession is needed for repentance, but also, because their functions are, in a sense, similar. A confession that is "praiseworthy" must include not only the words "I have done such and such..." but must also include a level of sincerity and resolve so that one hearing the confession, perhaps most of all the sinner himself, will believe that the sinner truly has no intentions of repeating that sin. Repentance, indeed, perfect repentance, is the "follow through" on making such a confession. The true measure of repentance, then, is not how well

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[18]Ibid., 2:1, p. 82b.

one can confess, but rather how well one follows through with his confession. While the confession is a one time occurence, perfect repentance, is a multi-stage process that can only occur over time.

Free Will and its Role in Repentance

After four chapters of discussing the precept on which the "Laws of Repentance" are based, namely, "that the sinner shall repent his sin before the Lord and make confession," the focus of Maimonides' comments shift from the practical aspects of repentance to its philosophical underpinnings. Chapter 5 marks an abrupt change in tone from an informative discussion of categories of individuals and their stake in repentance to a discussion of free will, what one author has characterized as that "on which the entire system of Divine legislation is based,"[19] and what Maimonides himself calls "the pillar of the Law and the Commandment."[20] From this viewpoint, several questions arise. First, how is it that Maimonides can take up free will within the context of a work created to establish societal and religious norms? Second, how is the discussion relevant to repentance? Third, if free will is a "pillar" of the Torah, how can it be reconciled with the principle of God's omniscience?

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[19]Altman, A., "Free Will and Predestination in Saadia, Bahya, and Maimonides" in Essays in Jewish Intellectual History. Hanover: Brandeis University Press, 1981, p. 49

[20]Maimonides, op. cit., 5:3, p. 87a.

The first of these questions is nicely answered by Marvin Fox in his "*Prolegomenon*" to Arthur Cohen's The Teachings of Maimonides. He writes

> The Law is necessarily fixed, because the integrity of society demands that the precepts of the Law must be obligatory. But the human effort to grasp the ultimate nature of things must, in Maimonides' view, never be totally constricted or supressed. We can command patterns of behavior, and we rightly expect men to subordinate their private inclinations to legal norms. It is dangerous and self-defeating to command conformity in the formulation, understanding, or apprehending of ultimate philosophical or theological matters. Here the mind of man must be left free to find its own way. If, by chance, we were to succeed in preventing man from thinking, we would also have succeeded in robbing him of what is essential to his humanity.[21]

Fox's comment enables one to understand that although the *Mishneh Torah* is a work geared to the unification of the Jewish populace through their body of law, the notion that freedom to think and ultimately act is central to one's humanity, The individual has complete freedom to think and do as he chooses, yet the society demands that the norms of *Halakhah* be followed. If a person has difficulty knowing how to act within his community, *Halakhah* is

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[21]Fox, M. "*Prolegemenon*" in A. Cohen, The Teachings of Maimonides. New York: KTAV, 1968, pp. xxxv-xxxvi.

ever there to help him conform to and meet the needs of the greater society. Fox's point is well taken if one looks only as far as Chapter 3, sections 19-20. The first of these examples castigates the sinner who in his sin causes others to sin. The second, states that "one who separates himself from the Community, even if he does not commit a transgression but only holds aloof from the congregation of Israel..."[22] is a grave sinner.

If free will is a critical element of a person's humanity, how does it manifest itself in the discussion of repentance? The answer as to why this topic appears in Maimonides' discussion of repentance becomes clear as soon as one reads Chapter 5:2.

> Let not the notion, expressed by foolish gentiles and most of the senseless folk among Israelites, pass through your mind that at the beginning of a person's existence, the Almighty decrees that he is to be either righteous or wicked. This is not so. Every human being may become righteous like Moses, our teacher, or wicked like Jereboam; wise or foolish, merciful or cruel; niggardly or generous; and so with all other qualities.

Maimionides explains that people are born with free will, that is, they are neither born with the propensity to do good nor evil. Were individuals born in such a state that their lives and actions were already decreed, then the concept of repentance would not be necessary. If there is a God who decrees what man does or does not

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[22]Maimonides, op. cit., 3:20, p. 85a.

do, then it is pointless for the same God to demand repentance of the individual who has erred.

With free will, man has the ability to choose what it is he will or will not do. This is an ability which is, according to Maimonides, unique to mankind. Quoting from Genesis 3:22, "Behold, the man is become as one of us, to know good and evil," Maimonides makes reference to fact that it is man alone in the world, that has this ability to choose.

This part of the discussion of man's freedom and God's role in letting man be free, is clearly polemical in nature. By making reference to the "gentiles"[23] who believed that man was born inherently good or evil or to the "foolish astrologers" who "out of their fancy pretend how would the Almighty have charged us,"[24] Maimonides delineates the Jewish view, his own view, that man is free to choose what he does and what he is. He makes his point ever clearer by his understanding of Torah.

> This doctrine is an important principle, the pillar of the Law and the Commandment, as it is said, "see, I set before thee this day life and good, and death and evil" (Deut. 30:15); and again it is written , "Behold I set before you this day, a blessing and a curse" (Deut. 11:26). This means that the power is in your hands, and whatever a man desires to do among the things that human beings do, he can do, whether they are good or evil; and, because

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[23]Ibid.

[24]Ibid., 5:4, p. 87a.

> of this faculty it is said, "O that they had such a heart as this always" (Deut. 5:26), which implies that the Creator neither puts compulsion on the children of men nor decrees that they should do either good, or evil, but it is all left to their discretion.[25]

If one understands the relationship between free choice and the ability to choose sin, then one can easily understand the relationship between free choice and repentance. For if one is free to choose between "life and good, and death and evil," then one can certainly choose repentance, which represents a return to life and the good. In fact, Maimonides echoes this sentiment as he makes reference to the book of Lamentations. "Since liberty of action is in our hands and we have, of our free will, committed all these evils, it behooves us to return in a spirit of repentance, and forsake our wickedness, for we have the power do do so."[26] Human beings have the power to return in repentance just as they have the power to stray in sin.

But there is another question that remains at the surface of this discussion of free will. If God is an omniscient being, then how can man have free will? Is this not a contradiction?

> Perchance you will say, "Does not the Almighty know everything that will be before it happens?" He either knows that this person will be righteous or wicked, or He does not know. If He knows that he will be righteous, it is impossible that he should not be righteous; and if you

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[25]Ibid., 5:3, p. 87a.

[26]Ibid., 5:2, p. 87a.

say that He knows that he will be righteous and yet it is possible for him to be wicked, then He does not know the matter clearly.[27]

In other words, if God is omniscient, the how can it be that man is really free? Instead of answering this question directly, Maimonides answers by referring to the "Laws of the Foundations of the Torah,"[28] another section of the *Mishneh Torah.* In that section, Maimonides reasserts his position that God's "knowledge" is not external Him in the same way that a human being's "knowledge" and self are distinct entities. Human beings can neither quantify nor qualify what God knows because there is no distinction between God and God's knowledge. Instead of answering the question, Maimonides simply states what he considers to be an essential understanding of God. "We lack the capacity to know how God knows all creatures and their activities,"[29] because we cannot know the essence of God.

If we take this view as the only way of explaining the contradiction between an all-knowing Creator and creatures imbued with free will, then the contradiction remains. However, this is not Maimonides' sole explanation.

In Chapter 5, section 4, of the "Laws of Repentance," Maimonides explains further that God's omniscience is not necessarily incompatible with free will.

Know then that everything takes place according to his pleasures, notwithstanding that our acts are in our power.

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[27]Ibid., 5:10, p. 87b.

[28]Ibid., "Laws of the Foundations of the Torah," 2:10, p. 36a.

[29]Ibid., "Laws of Repentance," 5:12, p. 87b.

> How so? Just as it was the pleasure of the Creator that fire and air shall ascend, earth and water descend, and that the sphere shall revolve in a circle, and all other things in the Universe shall exist in their special ways which He desired, so it was His pleasure that Man should have liberty of will, and all his acts should be left to his discretion; that nothing should coerce him or draw him to aught, but that, of himself and by the exercise of his own mind which God had given him, he should do whatever it is in a man's power to do.[30]

In other words, God can know the laws of nature, and God can know the general ways in which people might act. However, this does not mean that God knows one's exact movements at any given time, nor does it mean that God controls them.

In his article "Freedom and Determinism in Maimonides' Philosophy," Jerome Gellman supports this idea.

> Maimonides asserts that man acts in accordance with God's original will and not God's renewed, momentary will.[31] What is the original will of God? We may answer by distinguishing between [proposition] (4) God wills that

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[30]Ibid., 5:4.

[31]This is a direct refutation of the view of the Mutikallimun who asserted that God asserts a new Divine Will each moment of existence, a view that implies total determinism. See Gellman, J., "Freedom and Determinism in Maimonides' Philosophy." in Moses Maimonides and His Time, ed., Eric Ormsby. Wash., D.C..: Catholic University Press, 1989, pp. 141-144.

> a man, stand or sit, and [proposition] (5) God wills that a man stand or wills that a man sit.
>
> Maimonides endorses (4). But (4) does not entail (5), and he explicitly rejects (5)....A person, we may say, is determined to choose to stand or sit, while not being determined to stand, nor to sit.[32]

Thus, with an understanding of Chapter 5, section 4, and Gellman's interpretation, the "contradiction" between omniscience and free will ceases to exist. Hence, while the acceptance of free will is a matter of faith, for Maimonides, it is also a matter of fact. This is the way that Maimonides concludes Chapter 5 of the "Laws of Repentance," but it is not the end of his discussion of free will.

In Chapter 4, Maimonides adds to his discussion the role of punshment vis-a-vis repentance.

> There are many verses in the Pentateuch and in the Prophets which seem to contradict [one another]... and make them [people] think that God decrees that a person shall do good or evil, and that a man's heart is not under his control, to incline him in whichever direction he pleases. I will therefore expound an important principle by which you will learn the meaning of those verses. When an individual sins or the inhabitants of a country sin, and the sinner commits an offence, consciously and

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[32]Ibid., p. 144.

voluntarily, as above stated, it is proper that he be punished.[33]

Punishment, in this parlance, is God's way of penalizing a person for making incorrect use of his free will. As Alvin Reines suggests "Maimonides insists repeatedly that the Jewish opinion, and the correct view, is that God is absolutely just. The evils that occur to man are completely deserved."[34]

It is not sufficient for atonement that the willful sinner confess his sins; rather, atonement is granted only when the confession is accompanied by a punishment. Again, it is Maimonides' understanding that human beings cannot understand the nature of divine punishment and its relation to sin. This view is summed up in the final section of Chapter 4.

It is beyond human power to understand the way in which God has cognizance of future events.[35]

In other words, if one accepts free will, one must also accept the consequences of it. This is, as Reines suggests, completely in line with divine way.

The Exalted Rank of Repentance

With his discussion of man's free will ended, Maimonides agains shifts his focus. This time, however, he shifts back to the practical issue of repentance, namely, the exalted rank of repentance.

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[33]Maimonides, op. cit., 6:1, p. 88a.

[34]Reines, A., "Maimonides Concepts of Providence and Theodicy." HUCA, vol. 43 (1972), p. 169.

[35]Maimonides, op. cit., 6:5, p. 89a.

In discussing Chapter 7 of the "Laws of Repentance," Leo Strauss characterizes the chapter as one "in which [Maimonides] speaks more emphatically than before of the rank of repentance: the rank of those who repent is higher than that of those who never sin; Israel will not be redeemed except through repentance; repentance brings man near to the Presence."[36]

Maimonides dedicates all of of Chapter 7 of the "Laws of Repentance" to a discussion of the importance of repentance. The chapter, eight sections in length, describes the remarkable way which repentance transforms the sinner by describing its greatness and power to change the sinner from someone who has strayed from the path of the righteous into someone who is righteous.

The extraordinary transformation that repentance brings about is stated clearly by Maimonides.

> Repentance brings near those who are far away. But yesterday this person was odious before God, abhorred, estranged, an abomination. Today he is beloved, desirable, near (to God), a friend.[37]

Repentance has an exceptional kind of power, for it can create out of a sinner a righteous individual. This is important to Maimonides' understanding of repentance. For, as a commanded act, it must be achievable. Divine repentance must be in place to allow an individual to change himself, even upon his death bed, and be accepted by God.

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[36]Strauss, op. cit., p. 283.

[37]Maimonides, op. cit., 7:6, p. 89b.

> A man should always regard himself as if his death were imminent and think that he may die this very hour, while still in a state of sin. He should therefore repent of his sins immediately and not say, "when I grow old I shall repent", for he may die before he becomes old.[38]

The ability to be able to repent one minute and be accepted as penitent the next shows the true power of repentance. Why is repentance so powerful? Why is it that a person can be wicked one moment and "nearer to the Divine Presence" in an instant?

The answers to these questions, while not expanded upon, are alluded to by Maimonides in a single statement in 7:4 of the "Laws of Repentance."

> ...the degree attained by penitents is higher than that of those who had never sinned, the reason being that the former have had to put forth a greater effort to subdue their passions.[39]

It is in this context that Maimonides' account of why repentance is such an exalted act become clear. The struggle, internal and external, that often accompanies a person in his quest to subdue his inclinations is a great and mighty struggle. Being able to repay one's debts or being able to make a public confession are comparatively easy when measured against the true task of repentance. For Maimonides, repentance occurs inside the sinner's soul. It occurs within the mind and heart of the individual. Would that a person

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[38]Ibid., 7:2, p. 89a.

[39]Ibid., 7:4, p. 89a

could subdue his inclinations, those things which led him astray, that person would have truly achieved a perfect repentance. If the sinner could truly repent, then surely they would be rewarded. His reward is a place in the world to come.

The Ultimate Rewards: The World to Come And The Love Of God

Up to this point in the "Laws of Repentance," Maimonides has discussed the detailed acts by which one performs repentance, the internal struggle that propels the repentant sinner into the realm of the righteous, the divine gift of free will that makes repentance possible, and some of the punisments that befall the non-repentant. At this point in his discourse, he turns his discussion to the reward that comes to the repentant, the newly righteous.

> It is known that the reward for the fulfillment of the commandments and the good which we will attain if we have kept the way of the Lord, as prescribed in the Law, is life in the world to come.[40]

For many Jews, including Maimonides, the World to Come was "the" goal towards which all actions were directed. With a promise of the future and a belief in divine justice, no matter what ill or evil befell an individual, or no matter what kind of punishment one felt he was enduring, as long as a person followed the commandments and repented when he erred, then the World to Come could be held before of the sufferer to remind him that his stay on earth was

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[40]Ibid., 9:1, p. 91a.

temporary and that true bliss was reserved for him in the World to Come.

> The ultimate and perfect reward, the final bliss which will suffer neither interruption nor diminution is the life in the world to come.[41]

Again, as in his discussion of free will, Maimonides chooses a tactic which goes to the heart of the suffering of his people. Writing for the masses of Jews, many of whom are being persecuted for their religious beliefs, Maimonides addresses the fact that their suffering in this world is not in vain as long as they love God and repent when they go astray. Fulfilling the religious commandments has its inherent spiritual reward, not a material, tangible reward. The true reward is in the world to come where none of these possessions matter. Indeed, in the Guide of the Perplexed,[42] "perfection of possessions" is the lowest in rank of his four perfections. This point is also made in Chapter 8 of the "Laws of Repentance."

> The wise and the intelligent know, however, that all [material] pleasures are exaggerated and inane, and there is no profit from them....there is not comparison between the bliss of the soul in the life hereafter and the gratification afforded to the body on earth by food and drink. That spiritual bliss is unsearchable and beyond compare.[43]

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[41]Ibid., 9:2, p. 92a.

[42]Maimonides, The Guide of The Perplexed, trans. Shlomo Pines, Chicago: University of Chicago Press, 1963, III:54.

[43]Maimonides, op. cit., 8:6, pp. 90b-91a.

In Chapters 8 and 9, Maimonides discusses the bliss that results when one becomes worthy of entering the World to Come. In effect, he uses the World to Come as an enticement to would-be sinners to repent and as a goal for the righteous. However, in the final chapter of the "Laws of Repentance," Maimonides reveals that, in truth, one should not perform the commandments or repent out of anticipation for reward, but rather, one should do these actions out of love for God.

Love for God is important to Maimonides and he devotes a significant portion of Chapter 10 to a discussion of it. Within the chapter, he discusses two levels of service to God, service to God out of fear and service to God out of love.

What is clear from his discussion here is that service to God out of love represents a higher level of service than that out of fear. Of service out of fear he notes "this is not the standard set by the prophets and sages."[44] But while service of God out of fear is not preferable, it is, nevertheless, acceptable under certain circumstances.

> Only those who serve God in this way, who are illiterate, women or children whom one trains to serve out of fear, till their knowledge shall have increased when they will serve out of love.[45]

Maimonides places service out of love on a higher level than service out of fear. However, instead of denouncing the value of service out

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[44]Ibid., 10:1. p. 92a.

[45]Ibid., pp. 92a-92b.

of fear, he elevates it to an intermediate step in the achievement of service out of love.[46] Maimonides admits that not all people are able to serve God at this higher level, so he allows for them to be able to serve God at a level that is appropriate for them.

It is important to understand why Maimonides might argue that serving God out of love is superior to servicing God out of fear when discussing the issue of repentance. The task of repentance is an awesome task. It necessitates that the penitent humble himself before God in such a way that he confesses his sins, vows in his heart never to repeat them, and makes an honest attempt to subdue his inclinations so that he never repeats the sin. This is a task that would be difficult to achieve by a person who fears God. That is not to say that one need not be in awe of God, but the emotional element in fear might prevent an honest and humble confession. On the other hand, if one is serving God out of love, then repentance is much easier to achieve. Consider Maimonides' description of what it means to love God.

> It is to love the Eternal with a great and exceeding love, so strong that one's soul shall be knit up with the love of God, and one should be continually enraptured by it, like

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[46]The idea that Maimonides espouses in the *Mishneh Torah* of subordinating service of God out of fear to service of God out of love is quite different than the view he supports in The Guide of the Perplexed. In the Guide, III:52, Maimonides puts forth the idea that human perfection comes only when we serve God out of both love and fear. Love, Maimonides claims, comes as one embraces the opinions taught by the Law, while fear, ultimate awe and humiliity, is achieved by means of the performance of the commandments, i. e. embracing and performing the actions taught by the Law.

> a love-sick individual, whose mind is at no time free from his passion for a particular woman, the thought of her filling his heart at all times.... Even intenser should be the love of God in the hearts of those who love Him.[47]

If a person loves God in this way, then he will perform every action, every commandment of the Law for its own sake and not for the sake of reward, nor for the sake of fear. Thus, one can pursue the search for knowledge continuously until he "gives up everything else in the world for it".[48] He will not concern himself with material worries nor with his eventual place in the World to Come, for by acting in this way, Maimonides explains, one will increase their knowledge about God until wisdom directs their acts and "this love should continually possess"[49] him.

For Maimonides, loving God is a practical matter that is accomplished by one who "occupies himself with the study of the Law and the fulfillment of the commandments and walks in the paths of wisdom,"[50] (i.e. logic, mathematics, natural sciences, and metaphysics) and

> "the understanding and comprehension of those sciences and studies which will inform him concerning his Master, as far as it lies in human faculties to understand and comprehend—."[51]

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[47]Maimonides, op. cit., 10:3, p. 92b.

[48]Ibid., 10:6, p. 93a.

[49]Ibid., 10:3, p. 92b.

[50]Ibid., 10:2, p. 92b.

[51]Ibid., 10:6, p. 93a.

As Simon Rawidowicz writes

> Knowledge of God no longer turns out to be purely "speculative" or "intellectual." Through the utmost dynamic intensity of this "knowledge" which urges it to become passion for God, it becomes full of rejoicing enjoyed by man contemplating God.[52]

Rawidowicz is correct in his assessment of the role of the love of God within the Maimonidean context. Surely, with its placement at the conclusion of the "Laws of Repentance" and the entirety *Sefer ha-Madda*, the love of God is the most important goal within this schema, for the love of God leads to "comprehension of those sciences and studies which will inform him concerning his Master,"[53] and that knowledge will lead to a deeper love of God.

Conclusion

Maimonides devotes ten chapters of his *Sefer ha-Madda* to the discussion of the very practical issue of repentance. He discusses what it is, how it is to be achieved, what awaits the person who accomplishes it, and why it is necessary to begin with.

Throughout his treatment of repentance, he constantly assesses the audience for whom this work was originally intended. He addresses questions that allude to their lack of faith in an omniscient Creator who imbues his creatures with free will, and he notes their

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[52]Rawidowicz, S. "Knowledge of God: A Study in Maimonides' Philosophy of Religion" in Glatzer, ed. Studies in Jewish Thought. Philadelphia:JPS, 1974, p. 291.

[53]Maimonides, op. cit., 10:6, p. 93a.

plight as a poor and persecuted community within a world that exalts material wealth and gain. It is clear from Chapters 1-4 that the commandment of repentance is one that is within reach of all people, and that it is one which can take place at any time, even during one's final breaths.

His discussion continues with an exposition of the World to Come, perhaps to give the people added faith and reassurance that if they obey the Law and repent when necessary, they will achieve a world that is better than the world in which they are living.

Finally his discussion turns to the topic of the love of God, the accomplishment of which necessarily leads to the following of the commandments and comprehension of the sciences in this world, and eternal life in the next world. This final task, Maimonides admits, is a difficult one. In fact, "This standard is indeed a very high one; not every sage attained it."[54] It is a difficult task, to be sure, but through the study of Torah for its own sake, Maimonides admits, the goal is reachable in principle.

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[54]Ibid., 10:2, p. 92b.

Chapter Three

Rabbi Joseph Soloveitchik and On Repentance: Biographical and Philosophical Context

Biographical Context of Joseph Soloveitchik

At first thought, it might be difficult to envision a level on which Maimonides might find an equal. After all, Maimonides lived in a time foreign to most and dealt with problems that remain distant from most Jews who live in the West. He was extremely prolific, exhibiting his vast understanding of many subjects on many levels. However, just as Maimonides attempted to cope with the difficulties of his day, so, too, did he attempt to articulate "truths" which would help the future generations deal with eternal problems. This, too, was the mission of Rabbi Joseph Soloveitchik (1903-1993).

Soloveitchik, known simply as "the Rav" to his Orthodox admirers, also was a man of great intellect and insight. At his funeral, he was described as "a giant who was at home in every discipline, a master of an astounding variety of branches of wisdom, familiar with almost every significant area of human intellectual

creativity..."[1] These words, to be sure, were spoken by an admirer, but were, essentially, true; for not only was Rabbi Soloveitchik the spiritual leader of the Jewish community in Boston, he was *Rosh Yeshiva* for Yeshiva University, and thus the spiritual leader for many of the world's Orthodox Jews. Rabbi Soloveitchik died a great rabbi, a great scholar, and a great man. But how did this Lithuanian Jew go from being a learned *heder* student to "the most respected intellectual figure within Orthodox Judaism today"[2]?

This section will seek to discuss Soloveitchik's life and will attempt to identify those elements which led him to formulate the system of philosophy which led him, ultimately, to such a level of greatness.

While many words could be used to describe Joseph Soloveitchik, none would be entirely descriptive and none would be entirely complete. For where the "philosopher" in Soloveitchik dwells, so, too, does "*ish ha-Halakhah*." And just as the "sociologist" in him saw the difficulties the many facets of Modernity posed to the human condition, so, too, the "psychologist" in him sought creative and usable ways of interpreting and understanding that condition. These are only a few of the words which might be used to describe Rabbi Soloveitchik, but they do provide a glimpse at some of the motivations which fueled his life.

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[1]Lamm, Norman. "In Memory of Rabbi Joseph Baer Halevi Soloveitchik, zt"l." A eulogy for Rabbi Soloveitchik. AMIT Woman, 5 (Summer 1993), p. 4.

[2]Singer, David & Sokol, Moshe. "Joseph Soloveitchik: Lonely Man of Faith." Modern Judaism, 2 (October 1982), p. 227.

Before he was born on February 27, 1903 in Pruzhan, Poland, Joseph Soloveitchik might be said to have been destined to be a Rabbi. Considering the long line of rabbis in the Soloveitchik family, this opinion had great support.

The impact of Soloveitchik's lineage can be traced back to the Lithuanian town of Volozhin where "the members of the Soloveitchik family made their signal contributions in strengthening Litvak religiosity."[3] by serving the Volozhin Yeshiva. Soloveitchik's great-grandfather, Joseph Baer, served as *Rosh Yeshiva* as did his grandfather, Rabbi Hayyim Brisk.[4]

While the former was a scholar of note, the latter was directly instrumental in his contribution to his grandson's development as a Talmudic scholar. As Hayyim progressed in his own study of Talmud, he developed what came to be known as the "Brisker Method" of textual analysis and understanding. It was in this method, which "revitalized Talmudic study through [its] emphasis on scientific classification and rigorous analysis"[5] and "emphasis on Maimonides' *Mishneh Torah*,"[6] that the young Joseph would become proficient.

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[3]Ibid., p. 230.

[4]After his twenty years at the Volozhin Yeshiva, Rabbi Hayim settled in the town of Brisk and served as their community rabbi. It was there that he came to be known as the "Brisker Rebbe."

[5]Lichtenstein, Aharon. "R. Joseph Soloveitchik," in Simon Noveck, ed., Great Jewish Thinkers of the Twentieth Century. New York: B'nai Brith Books, 1985, p. 282.

[6]Peli, Pinchas. "Biographical Notes" in On Repentance: The Thought and Oral Discourses of Rabbi Joseph B. Soloveitchik. New York: Paulist Press, 1985, p. 1.

After a period with a *Hasid* in the town of Khoslavitch, Russia, during which Joseph's course of study veered away from complete devotion to Talmudic study[7], Soloveitchik's education rested solely upon the study of Talmud and the "Brisker" method. With its emphasis on scientific classification and exactness, the "Brisker" method became the vehicle by which Soloveitchik absorbed and mastered *Halakhah*.

> "At the age of ten he presented his father with his written *hiddushe Torah*. His father was so impressed that he showed them to his own father, R. Hayyim Brisker, who was so impressed that he sent them to his *dayyan*, R. Simcha Zelig. R. Zelig prophesied greatness for R. Hayyim's precocious grandson."[8]

This "prophecy" would turn out to be correct, but not, perhaps, as Rabbi Zelig had intended. While Soloveitchik excelled in his study of Talmud and *Halakhah*, "a total, intellectual, moral and religious discipline,"[9] he nonetheless longed to have a general education and pursue studies in a "secular" discipline; this he accomplished.

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[7]Because his father's responsibilities as the community rabbi were numerous, Moshe Soloveitchik entrusted the education of his son, Joseph, to a local Lubuvitcher Hasid. However, because the Hasid's interests lie not in the study of Talmud but in the study of the *Habad Tanya* , he thought it more worthwhile for Joseph to study the latter. Thus, Soloveitchik's proficiency in Talmud did not progress as planned, and his father was forced to personally oversee his son's religious education.

[8]Lamm, op. cit., p. 4.

[9]Singer and Sokoll, op. cit., p. 283.

At the age of twenty-two, after having earned the equivalent of a high school education, Soloveitchik enrolled at the University of Berlin, where he fulfilled his wish of achieving mastery of a secular subject, namely, philosophy. It was here that Soloveitchik became interested and learned in the fields of logic, metaphysics and epistemology. It is also here that he became familiar with the thought of many philosophers, most notably, Immanuel Kant and neo-Kantian, Hermann Cohen. In 1931, Soloveitchik completed his doctoral dissertation on Hermann Cohen and received his Ph.D.

It was not long after the completion of this advanced degree that Rabbi Soloveitchik along with wife, Dr. Tonya Lewit, and their first child emigrated to the United States. Initially coming into the country via New York, they eventually settled in Boston, Massachusetts where Soloveitchik served the Orthodox community as their rabbi. While Soloveitchik settled in Boston, his life was anything but settled.

> "Bred in the tradition that emphasized the pastoral function of the rabbinate, it was Rabbi Soloveitchik's conception that the rabbi is above all a student, scholar and teacher."[10]

This view manifested itself in the way Soloveitchik dedicated his time, both for others and himself.

The first manifestation of the high esteem he felt for the rabbi's role in education came when he founded The Maimonides School, the first Hebrew day school in New England. Another

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[10]Lichtenstein, op. cit., p. 285.

manifestation came in the form of an informal "institute" he set up so that he could teach Talmud, and in his preparation, do a bit of learning, as well. However, his own learning was not contingent upon his preparation for his students, for while he was preparing lessons for his institute, he was also preparing and delivering lectures for the 1935 lecture series which commemorated the Maimonides octocentennial.[11]

In 1941, he folded his institute and accepted an appointment to the faculty of the Rabbi Isaac Elchanan Theological Seminary of Yeshiva University as professor of Talmud, and as *Rosh Yeshiva*, the position his father had previously held. Both positions he held until his death in 1993. While the road to Yeshiva University might have taken Soloveitchik across several continents and through several cities, once in New York, he made the most of his opportunity to expound his ideas, and his grandfather's unique method of Talmud study to many a student of the *yeshiva*, and, in so doing, "he has become the spiritual mentor of the majority of today's younger Orthodox rabbis."[12] In addition to all of the roles he played in the context of the classroom, Soloveitchik also involved himself in

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[11]Of the two lectures Soloveitchik delivered, "Maimonides and Kant on the Conception of Freedom of the Will and the Problem of Physical Causality in the Modern Theory of Knowledge" and "Maimonides' Philosophic and Halakhic View on *Homo Sapiens* and the Modern Philosophy of Value," neither is published.

[12]Lichtenstein, op. cit., p. 286.

American social causes[13], Zionist causes[14], and the causes of the individual Jews he served as rabbi[15].

Soloveitchik was a dedicated teacher, often preparing several hours of lectures and discourses a week for his students, and while many of his lectures were ultimately published, very little was actually penned by Soloveitchik[16]. Instead, dedicated students transcribed and translated his material so that it might be available to a larger audience, not strictly the small circles of students and professors at Yeshiva University.[17] As a result of the efforts made

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[13]Rabbi Soloveitchik participated in a project for the National Institute of Mental Health, whose purpose it was to study "religious attitudes toward psychological problems." Cf. Lichtenstein, op. cit.

[14]Rabbi Soloveitchik also served as honorary president of the Religious Zionists of America. Cf. Lichtenstein, Ibid.

[15]For several examples, see Holzer, Aton and Holzer, Emanuel, "Glimpses of the Rav" in AMIT Woman, 5 (Summer 1993), p. 7.

[16]All of his "books" were originally published as essays, "*Ish ha-Halakha*", for example, first appeared in Talpiot (1944), pp. 651-734. It has since been translated and published by Lawrence Kaplan as Halakhic Man, Philadelphia: JPS, 1983. "The Lonely Man of Faith" was first published in Tradition (Summer, 1965), pp. 5-67. It, too, has recently been published by Joseph B. Soloveitchik, The Lonely Man of Faith, New York: Doubleday, 1992.

[17]There are many such works in print. On Repentance, op. cit., for example, is the product of several *teshuva* lectures delivered by Soloveitchik which were subsequently condensed, rewritten, edited and translated by Peli. Abraham Besdin's Reflections of the Rav, Jerusalem: Alpha Press, 1979, and Man of Faith in the Modern World, Hoboken: KTAV, 1989, are also works whose contents were adapted from lectures delivered by Rabbi Soloveitchik. The Rav Speaks, edited and translated by David Telsner, Jerusalem: Tal Orot Institute, 1983, is a series of five lectures originally delivered in Yiddish from 1962-1967.

to make Soloveitchik's works available to a mass audience, his views have become widespread and widely admired.

In this overview of Rabbi Soloveitchik's life, certain elements stand out. First, Rabbi Soloveitchik was a person who was not only well versed in the language of Talmud, but in the language of academia and modern philosophy, as well. Second, he was deeply interested in the human condition, why people behave the way they do. Third, he was dedicated God and to *Halakhah*. These are some of the more prominent elements that characterized Rabbi Joseph Soloveitchik. How they interacted will be discussed in the next section.

Soloveitchik: The Philosophical Context

It is difficult to speak of a unified, scientifically approached "philosophy" or "theology" when discussing Rabbi Soloveitchik, for while he may touch on various topics tangentially, he does not deal systematically with topics such as God, revelation, providence, or prophecy.[18] Unlike Maimonides' Guide of the Perplexed and *Mishneh Torah*, there are as yet no clear sources that point to any systematic approach by Soloveitchik. But despite the lack of such a source his approach to the *Halakhah* and its role in the world as discussed in his expanded essays "*Ish ha-Halakhah*" and "The Lonely Man of Faith" do provide appropriate insight.

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[18]Kaplan, Lawrence. "The Religious Philosophy of Rabbi Joseph Soloveitchik". Tradition, 14 (Fall 1973), p. 59.

Before we commence with an explication of these two essays, it is important to briefly discuss the role of Soloveitchik's education vis-a-vis philosophy. As we noted above, Soloveitchik received his doctorate in the field of philosophy and wrote his dissertation on the neo-Kantian thought of Hermann Cohen. This fact is important, for not only did Soloveitchik write about Cohen, it is apparent that he was influenced by him as well.

It is interesting that Soloveitchik's first choice as a dissertation topic was "Maimonides and Plato," but since there were no qualified supervisors for that dissertation at the University of Berlin Soloveitchik decided to write about Cohen. This choice was not arbitrary for "the nineteenth century had produced innumerable heirs and disciples of Kant and now, in the twentieth century there developed the powerful current of neo-Kantianism. This school was represented at Berlin by Heinrich Maier, but its acknowledged leaders were George Natorp and Hermann Cohen of Marburg."[19] It made sense for Soloveitchik to write about Hermann Cohen, but writing about Hermann Cohen and adopting his beliefs do not necessarily follow from each other. What was it about the former that led to the latter?

The central characteristic of the neo-Kantian school which repeatedly manifests itself in Soloveitchik's writings is the dual character of man. The neo-Kantian movement, like the Kantian, held "the mind, with its *a priori* categories, to be the true source of

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[19]Lichtenstein, op. cit., p. 284.

knowledge"[20] and at the same time understood "that the mind was the *sole* source of truth."[21] The tension, then, that is present in Soloveitchik's writing is the tension between the comprehension of a "prototype" employed by Soloveitchik to help a person understand what is ideal and the reality defined by the mind of a person who gathers empirical data of the world around him. "On the one hand, declared Cohen, 'Thought forms the ground of Being,' and, on the other hand, pure thought is to be identified with mathematics and science. Hence, his characterization of his own system as a mathematico-scientific idealism, which equated ultimate Being with mathematic-scientific laws developed by the mind."[22] The tension between "thought" and "pure thought" is understood in the tension between the "real" and the "ideal".

Thus, in his writings, Soloveitchik "discerns a fundamental dualism in the nature of man which [he] elucidates through [the use of] typolog[ies]"[23] For Soloveitchik, a typology provides the "ideal" towards which science and mathematics strive. In the many printed words attributed to him, whether or not they come from his own pen, Soloveitchik sets up several "men" as typological characters. To better understand this procedure, one need only examine

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[20]Ibid.

[21]Ibid.

[22]Ibid.

[23]While the use of typologies compliments Soloveitchik's neo-Kantian understanding of the duality of man, it is not, in origin, a neo-Kantian feature. The typological system Soloveitchik uses was originally formulated by Edward Sprenger. Cf. Kaplan, Halakhic Man, op. cit., note 1, p. 139, and Peli, On Repentance, op. cit., note 6, p. 12. Cf. Borowitz, op. cit., p. 206.

Soloveitchik's "The Lonely Man of Faith"[24] for its understanding of Creation and creativity as they relate to man.

Having accepted the unity and integrity of the Bible and rejected the documentary claims of Biblical critics, Soloveitchik opens his discussion of the Creation with a brief introduction of Adam I and Adam II[25].

> It is, of course, true that the two accounts of the creation of man differ considerably. This incongruity was not discovered by the Bible critics. Our sages of old were aware of it. However, the answer lies not in an alleged dual tradition but in dual man, not in an imaginary contradiction between two versions but in a real contradiction in the nature of man. The two accounts deal with two Adams, two men, two fathers of mankind, two types, two representatives of humanity, and it is no wonder that they are not identical[26]

It is no wonder that they are not identical because of the way they are described in their respective accounts. Soloveitchik enumerates the differences at length.[27] First, Adam I is described as being created *b'tselem Elohim,* while Adam II is described as being created from dust and the breath of God. Second, Adam I was commanded to fill the earth and subdue it, while Adam II was commanded to

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[24]Soloveitchik, The Lonely Man of Faith, op. cit.

[25]These designations are used to distinguish clearly between Adam of Genesis 1 and Adam of Genesis 2.

[26]Ibid., p. 10.

[27]Ibid., p. 11-12.

cultivate the garden and keep it. Third, Adam I was created as both male and female and Adam II was created alone and male; and fourth Adam I was created by *Elohim* while Adam II was created by YHWH-*Elohim*.

After his initial explanation of the two accounts of the Creation in Genesis, Soloveitchik proceeds with his analysis and exposition of his typological categories.

> There is no doubt that the term "image of God" in the first account refers to man's inner charismatic endowment as a creative being. Man's likeness to God expresses itself in man's striving and ability to become creator.[28]

Adam I, in exhibiting his Godliness, is understands himself as a creator. His primary mission is to understand and master the world in which he lives. In accomplishing this, he learns of the functional and practical aspects of his intellect by which he may gain dominion over nature.

Soloveitchik paints Adam I as the person who is interested not in the why's of the universe, but in the practical how's.

> Adam I is interested in just a single aspect of reality and asks one question only—"How does the cosmos function?" He is not fascinated by the question, "Why does the cosmos function at all?" nor is he interested in the question, "What is its essence?" He is only curious to know how it works.[29]

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[28]Ibid., p. 12.

[29]Ibid., p. 13.

Adam I asks these questions for the practical purpose of gaining control over his environment so that he can manipulate it and put it at his disposal. But while this may seem a selfish end, it is not case.

As man tries to imitate God's creative efforts, he learns who he is. He understands that by gaining control over nature he gains dignity and majesty.[30]

> In other words, dignity was equated...with man's capability of dominating his environment and exercising control over it. Man acquires dignity through glory, through his *majestic* posture vis-á-vis his environment.[31]

Dignity, however, can not be achieved without responsibility. No matter how much control man has over the manipulation of his environment, he can not be dignified unless he does so in the proper manner.

> Man of old who could not fight disease and succumbed in multitudes to yellow fever or any other plague with degrading helplessness could not lay claim to dignity. Only the man who builds hospitals, discovers therapeutic techniques, and saves lives is blessed with dignity.[32]

Thus, for Adam I, his being made *b'tselem Elohim* entitles him to seek out the how's of nature. His being *adam* compels him to seek

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[30]Soloveitchik draws this conclusion by examining the word *kavod* in Ps. 8:6. In a note on ibid., pp. 14-15. He discusses its dual meaning as both 'majesty' and 'dignity.'

[31]Ibid., p. 15.

[32]Ibid., p. 17.

and pursue the dignified and responsible application that his intellect creates. This is what imbues him with majesty.[33]

Adam I tries to give the world structure, to devise a mathematical formulas so that he can come to understand how to comprehend the image of God. But while Adam I is interested in the how's, Adam II is interested in the why's.

Adam II is not interested, as is Adam I, in the functional aspects of the world. Rather Adam II deals with the "here and now." He does not want to order everything he sees, he simply wants to know the meaning behind it all. "He wants to know: 'Why is it?' 'What is it?' 'Who is it?'."[34] Adam II sees himself as a passive observer in the cosmos, rather than as an active participant.

> Adam the second is receptive and beholds the world in its original dimensions. He looks for the image of God not in the mathematical formula or the natural relational law but in every beam of light, in every bud and blossom, in the morning breeze and the stillness of a starlit evening. In a word, Adam the second explores not the scientific abstract universe but the irresistibly fascinating qualitative world where he establishes an intimate relation with God.[35]

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[33]Ibid., p. 20. Here Soloveitchik presents a threefold equation to explain the relationship of all of these concepts: "Thus, in sum, we have obtained the following triple equation: humanity = dignity = responsibility = majesty."

[34]Ibid., p. 21.

[35]Ibid., p. 23.

Adam II is not obsessed with making sense of the universe in order to grasp and manipulate it. He is not bent on subduing the world. Rather, he is bent on "communing with the 'Great Self' whose footprints he discovers along the many tortuous paths of creation."[36] This is a lonely endeavor, for it calls for Adam II to preoccupy himself with God.[37]

Both Adams, at least in appearance, have the same goal, namely, to be fully human. They each want to define their own humanity. But while the route Adam I follows is primarily concerned with "dignity" and "majesty," the route Adam II follows is primarily concerned with "redemption" and "meaning." While Adam I's outlook might also include redemption, through his sujugation to nature, this redemption "is not necessarily identical with the dignified"[38] existence that he seeks. The difference between the two lies in their relationships to their respective communities.

Concerning Adam I:

> Dignity is a social and behavioral category, expressing not an existential quality but a technique of living, a way of impressing society, the know-how of commanding respect and attention of the other fellow, a capacity to make one's presence felt.[39]

Thus, for Adam I to have dignity, he needs a society to function around him. He also needs "social interaction with other men in

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[36]Ibid., p. 24.

[37]Ibid., pp. 23-24.

[38]Ibid., p. 25.

[39]Ibid., pp. 25-26.

order to [help him] further his own ends, to secure his biological and natural needs and to create the conditions for the expression of his pragmatic technological concerns."[40] Adam I needs a "work community" in which he will be able to fulfill his needs. The community of Adam II is different.

The community of Adam I essentially consists of two entities: the "I," Adam I, and the "Thou," others in the community who come together to accomplish utilitarian tasks. God does not exist as a member of this community, *per se*, for God is only an object for the community's understanding. On the other hand, the community of Adam II, because of his existential loneliness consists of three entities: "I," Adam II, "Thou," the other members of the community with whom the Adam II joins in the task of redemption, and "He," God. This "is a community of commitments born in distress and defeat."[41] Unlike the community of Adam I, the "covenantal" community of Adam II has God rooted within it.

> God is never outside the covenantal community. He joins man and shares in his covenantal existence. Finitude and infinity, temporality and eternity, creature and creator become involved in the same community. They bind themselves together and participate in a unitive existence.[42]

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[40]Katz, Steven T., Jewish Philosophers. New York: Bloch Publishing Company, 1975. p. 219.

[41]Soloveitchik, The Lonely Man of Faith, op. cit., p. 43.

[42]Ibid., p. 44.

With God as a prominent part of the three-part covenantal community, communication can exist not only with "I" and "Thou" but with God as well. This communication is the key by which Adam II overcomes his solitude. "Prophecy and prayer are the two vehicles of this communication: through prophecy God addresses man, through prayer man addresses God. Both are acts of revelation through which man's isolation is overcome.[43] Through these communications God is part of the covenantal community. But "it is through the medium of revealed instruction that God participates in the covenantal community. ... Without such instruction the covenantal faith community, according to Soloveitchik, would be impossible."[44] Thus, following *Halakhah* enables the covenantal community to relate to God.

While *Halakhah* here is described as within the domain of Adam II, it is imperative to remember that the halakha exists for both Adam II and Adam I. For both of them, *Halakhah* "is a tool which God uses to maintain the tension between the majestic man and the covenantal man sides of the human personality."[45] The question might arise as to why God would want to maintain this tension. To this, one can simply answer that these two personalities are present within each individual. Hence, while Adam II lives in search of existential communion with God, Adam I lives to gain control over the physical world. One necessarily needs the assistance

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[43]Katz, op. cit., p. 220.

[44]Ibid., ibid.

[45]Singer and Sokol, op. cit., p. 246.

of the other, for they both seek their goals in different domains, the spiritual and the physical, respectively.

The true goal, then, is for Adam I to enter the world of Adam II and unify their two worlds. "The *Halakhah* recognizes this imperative and thus embraces every aspect of the totality of man's life, no matter how seemingly trivial, providing the means for turning everything towards God's will and purpose. Through the *Halakhah* the Jew witnesses his God in every action. The *Halakhah* provides for the immediate and concrete manifestation of man's concern for God and God's concern for man."[46]

Adam I will have reason to follow the *Halakhah*, "because a dignified existence is an orderly one."[47] Adam II will have reason to follow *Halakhah* because he seeks the "fellowship, which one finds in an existential community,"[48] namely, with God. The task of the religious Jew, the person in whom these overlapping personalities exist, is to move between these two worlds and unite them into one community where man is both the creative, free agent, and the obedient servant of God.[49]

In this typological framework, Soloveitchik places Adam II, the lonely man of faith, on a higher rung than Adam I. However, he does not discount Adam I entirely. "Despite the surface quality of Adam I's existence Rabbi Soloveitchik grants religious value and significance to him, to this man come of age, man in control of his

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[46]Katz, op. cit., p. 221.

[47]Soloveitchik, Lonely Man of Faith, op. cit., pp. 18-19.

[48]Ibid., p. 41.

[49]Singer and Sokol, op. cit., p. 247.

own environment and, consequently, his own destiny. For Adam I, in mastering his environment, both realizes his humanity, his 'image of God,' as well as fulfills the Divine mandate to subdue the world.[50]

If both Adam I and Adam II, the "majestic man" and the "covenantal man," have religious value, towards which should the modern Jew strive? Is Adam I with his significant secular pursuits and his surface oriented adherence to *Halakhah* worthy of emulation, or is Adam II, the religiously lonely figure who follows *Halakhah* in order to commune with God and relieve his loneliness, the exemplar of the ideal life? The answer to this question is neatly summarized by Eugene Borowitz.

> Since Adam I and Adam II are typological structures which teach us to understand men as they really are, it does not come as a surprise to hear that men, in fact, must live in both realms.[51]

The answer, then, lies somewhere between these two ideals, somewhere within the dynamic tension that is created when one aspect of a person's drives confronts the other.

Examining Soloveitchik within the framework of his typologies allows one a glimpse into the mind of Soloveitchik himself. "The reason why Soloveitchik is so confident about what he has to say in "The Lonely Man of Faith," is that he ... is drawing upon his own experience as a religious Jew,"[52] as he clearly states in the beginning of "The Lonely Man of Faith"

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[50]Kaplan, op. cit., p. 44.

[51]Borowitz, op. cit., p. 207.

[52]Singer and Sokol, op. cit., p. 247.

> whatever I am going to say here has not been derived from philosophical dialectics, abstract speculation, or detached impersonal reflections, but from actual situations and experiences with which I have been confronted. ... The nature of the dilemma can be stated in a three-word sentence. I am lonely.[53]

Soloveitchik seems to have experienced loneliness, in part because of his moving from the Eastern European world where in which grew up, the world of "covenantal man" into the modern world of "majestic man." What is certain, however, is that Soloveitchik maintained the *halakhic* way of life in both worlds. He stated in the beginning of his book that he was lonely. One can only speculate as to how lonely he might have been had he not been so deeply rooted in *halakhah*.

Understanding The Context of *Al ha-Teshuvah*

As we noted above, *Halakhah* is an essential vehicle for man's ability to rise above lonliness and achieve harmony within his covenantal community. However, it must be remembered that the need for the rigorous structure of *Halakhah* arises from the inherent tension between the paradigmatic Adam I and Adam II.

As Soloveitchik explains in The Lonely Man of Faith, Adam I and Adam II, as distinct types have different needs and different interests. Adam I is wont to discover and illumine himself with the physical mysteries of the functioning of the universe. He wants to learn "how" things work; he wants to master the physical functioning

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[53]Soloveitchik, Lonely Man of Faith, op. cit., pp. 1-3.

of his world. In doing so, in learning the details of creation, Adam I, majestic man, is able to utilize his creative energy for his self-serving ends. Once he achieves this mastery, he acquires dignity. With regard to God, Adam I sees only a relationship that will lead to an ability to imitate God. Adam I follows *Halakhah*, because, as the divine revelation, it is the closest thing Adam I has to perfection. His community, his work community serves only to aid him is his seeking to achieve his manipulative ends.

On the other end of this paradigmatic coin is Adam II, the lonely man of faith. His goal, contrary to that of majestic man is to discover the spiritual mysteries of the universe. Just as it is Adam I's goal of learning "how" the universe works, it is Adam II's goal to learn "why" the universe works as it does. Like Adam I, Adam II, too, possesses some characteristic features.

The lonely man of faith is an ontologically lonely character whose lonliness is created out of his solitary preoccupation with a search to know God. This search, which can only take place on his individual level, propels Adam II, also, into a search to know God. However, he seeks not a God to be imitated, but rather a God to be known. As he comes to know God through his lonely search, he relieves his lonliness and comes to understand the "whys" he seeks. This "cathartic redemptiveness" is achieved as Adam exercises control over himself, it is achieved through serving God, through discipline.[54]

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[54]Ibid., pp. 35-36.

It is important to notice the differences in approach of Adam I and Adam II, for not only do their differeces manifest themselves in their own personae but also in their relationship to the various communities which they establish for themselves. Adam I establishes a work community for himself to aid in his quest for dominion over his surroundings. On the other hand, Adam II seeks to create a relationship with him and God. This relationship, while at the center of the lonely man of faith's quest, is not the only relationship Adam II must have, for it must be remembered that despite Adam II's loneliness, he does exist within the community around him. His community, then, must consist not only of he and God, but others, as well. It is the role of *Halakhah* to connect Adam II with this real world. The very nature of the halakhic approach to life propels Adam II from the recesses of his thought and search into the real world about him.

Adam II seeks not to imitate God as does Adam I, but seeks to know God as only he can. God, then, is not an object seeking to be understood or dominated, but a subject to be known. As the lonely man of faith comes to know God in this way, his lonliness is alleviated, and his "why's" are answered. As this occurs, Adam II experiences a cathartic redemtiveness which "is experienced in the privacy of one's in-depth personality".[55] This "redemption" is realized by Adam II's controlling of himself. It is internal rather than external, yet it occurs within the "covenant community" of which God is a part. Since this quest is one that can take place only

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[55]Ibid., p. 35.

within the depths of one's soul, and since its fulfillment can drive one deep within the recesses of his self, *Halakhah* is there to help ground the lonely man of faith in the real world.

These conflicting personalities which exist within the individual, because of their respective natures, result in necessarily conflicting and competing needs. The quest for ultimate dignity through imitation of God is at odds with the quest for redemption through a relationship with God. Imitation of God is difficult to achieve when the task at hand is strictly oriented around trying to imagine God. How is it that a person can become part of a community for the purpose of achieving tangible goals when the primary goal of the individual is the lonely search for God?

With these contradictions constantly playing themselves out within the soul of the individual created after the dual-blueprint of AdamI and Adam II, crisis is bound to develop.

> If the job of translating faith mysteries into cultural aspects could be fully accomplished, then the contemporary man of faith could free himself, if not from the ontological awareness which is perennial, then, at least, from the peculiar feeling of psychological loneliness and anguish which is due to his historical confrontation witht the man of culture.[56]

The truth is, that no matter how hard one tries to rid himself of the tension, it will always be present, because inner search for

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[56]Ibid., p. 98.

communion and the search for external conquest are both part of us and antithetical at the same time.

Left unchecked by the worldly interests of Adam I, the lonely man of faith will revert deeper and deeper into himself until he totally withdraws from his community. There, he will search for God, but because he has forsaken the community around him, he will be unable to accomplish his task. Majestic man, on the other hand, in his persistent quest for dominion, will inflict untold harm as he seeks to achieve his goals bar nothing. As these personalities polarize, they will leave God behind, for they will be blinded by unachievable goals and unbridled passions.

In forgetting God, then, the individual will let his worst qualities guide him. He will not follow the *Halakhah*, he will not be redeemed. Once this has occurred, and it will occur, the man will sin and will be in need of repentance; for through repentance man will come back to God, to faith, and, ultimately, to his redemption.

Chapter Four

Aspects of Repentance: Rabbi Joseph Soloveitchik

In the previous chapter, we noted that Rabbi Soloveitchik, in "The Lonely Man of Faith," believed that the various sides of a man's personality are necessarily in conflict because of their diverse needs. Although a person is comprised of both of these sides, he must, nonetheless, learn to balance them. When this balance is skewed too far in either direction, the resultant conflict will cause man to fall into a crisis. He will not only forget his goals, he will forget God.

In forgetting God man lets his worst qualities lead him. This will lead him on a quest to achieve his goals bar nothing, including *Halakhah*.[1] This leads man to sin and ultimately to his need for repentance. For through repentance, he comes back to God, to faith, and ultimately to his redemption.

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[1]Soloveitchik, J. The Lonely Man of Faith. New York: Doubleday, 1992, pp. 101-102.

In his article, "The Breakdown of Tradition and Quest for Renewal,"[2] David Hartman, himself a student of Rabbi Soloveitchik, noted that

> there are certain *mitzvot* to which [Soloveitchik] devotes special attention. They are prayer, mourning, repentance and charity. The choice of these *mitzvot* is not accidental. An in-depth philosophic exposition of the halakhic details of these commandments enables Soloveitchik to show his reader that *Halakhah* is not merely behavioristic. These commandments illustrate how *Halakhah* gives expression to the unique and the common, the personal and the communal. They provide fertile material for Soloveitchik's dialectical mind.[3]

Hartman was correct to point out the importance Soloveitchik assigned to the task of repentance. In his philosophical thinking, repentance was the move that could repatriate the lonely man in crisis with God.[4] Despite this understanding of repentance, it reflects neither the complexity nor the scope of Soloveitchik's thought on the matter.

It is difficult to speak of Rabbi Soloveitchik's having one singular or unified view of repentance, because unlike the view of

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[2]Hartman, David. The Breakdown of Tradition and the Quest for Renewal, Reflections on Three Jewish Responses to Modernity: J. B. Soloveitchik, M. M. Kaplan and A. J. Heschel. Jerusalem: The Gate Press, 1980.

[3]Ibid., p. 12.

[4]Peli, Pinchas. On Repentance: The Thought and Oral Discourses of Rabbi Joseph B. Soloveitchik. New York: Paulist Press, 1984. p. 44.

Halakhah he presented in "*Ish ha-Halakhah*,"[5] Soloveitchik never gave a "final or systematic account of [repentance]."[6] In the absence of any comprehensive approach to repentance[7] one can only examine his writings on the subject and identify the recurring themes. There are two notable sources for his views of repentance: Halakhic Man and On Repentance.

Repentance in "Halakhic Man" (1944)

In Halakhic Man, Soloveitchik seeks to understand the nature of the Halakhic personality *par excellence*. He approaches his task by establishing two typologies *homo religiosus*, and Cognitive Man and engaging in a comparative study of the two.

> Halakhic man is an anti-nomic type for a dual reason: (1) he bears within the deep recesses of his personality the soul of *homo religiosus*, that soul which, as was stated above suffers from the pangs of self-contradiction and self-negation; (2) at the same time halakhic man's personality also embraces the soul of cognitive man, and

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[5]Rabbi Soloveitchik's essay "Ish ha-Halakhah" originally appeared in 1944 in the Hebrew journal *Talpiot*. It subsequently appeared in paperback: Soloveitchik, Joseph B. Halakhic Man. Philadelphia: JPS, 1983.

[6]Peli, Pinchas. "Repentant Man—A High Level in Rabbi Soloveitchik's Typology of Man", Tradition 18 (Summer 1980), p. 136.

[7]In Peli, op. cit., author Pinchas Peli extracts the personality of "repentant man" from Soloveitchik's writings on repentance. We shall discuss his findings later in this chapter.

this soul contradicts all of the desires and strivings of the religious soul.[8]

Homo religiosus and Cognitive Man are different types, as different as Adam I and Adam II of "The Lonely Man of Faith." They represent different outlooks and different approaches to life and society. The main difference between them is how they perceive God's world. Cognitive Man, Soloveitchik explains,

> observes and scrutinizes the cosmos...with the intent of understanding and comprehending its features; cognitive man's desire is to uncover the secret of the world and to unravel the problems of existence.... Cognitive man aims to solve the problems of cognition vis-a-vis reality and longs to disperse the cloud of mystery which hangs darkly over the order of phenomena and events.[9]

Homo religiosus retains a greater sense of 'wonder' as he looks at the world around him.

> When he confronts God's world, when he gazes at the myriad events and phenomena occurring in the cosmos, he does not desire to transform the secrets embedded in creation into simple equations that a mere tyro is capable of grasping. On the contrary, *homo religiosus* is intrigued by the mystery of existence—the *mysterium tremendum*—and wants to emphasize that mystery. He gazes at that which is obscure without the intent of explaining it and

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[8]Soloveitchik, op. cit., pp. 3-4.

[9]Ibid., p. 5.

inquires into that which is concealed without the intent of receiving the reward of clear understanding.[10]

Conflicting approaches to the world characterize the differences between cognitive man a *homo religiosus*. Cognitive man sees the world as a mystery to be solved. He devotes his time to establishing fixed principles, laws and judgments in order to understand his world. He seeks to establish "a cosmic order characterized by necessity and lawfulness. Any phenomenon which cannot be subjected to the rule of law and principle is relegated to the realm of the non-being and nothingness... ."[11] On the other hand, religious man is satisfied with his sense of wonder. He, like cognitive man, does not understand the mysterious world in which he lives. Unlike cognitive man, however, he does not desire a deep understanding of it in order to control it; he is content with the mystery.

Homo religiosus' narrow focus on the cosmic mysteries might indicate a reluctance to follow and believe in the sanctity and necessity of the *mitzvot*, the *Halakhah*. For does not *Halakhah* add to the perception of a sturctured and lawful world? Indeed, if the *Halakhah* is understood as the Divine Sinaitic Law, the direct word of God, then following it leads one "toward the comprehension of the order and inter-connectedness of existence" which leads to understanding. But this is cognitive man's method. *Homo religiosus*, on the other hand, follows the *Halakhah* unquestioningly. He "sees the entire ordered world, the entire creation which is delimited and

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[10]Ibid., pp. 6-7.

[11]Ibid., p. 5.

bound by the law as a cryptic text whose content cannot be deciphered, as a conundrum that the most resourceful of men cannot solve."[12]

> Halakhic man represents a unique blend of these two types. On the one hand, ...his image resembles that of cognitive man, who occupies himself with intellectual constructions...and then coordinating his ideal intelligibles with the real world, as does the mathematician. And yet, on the other hand, halakhic man is not a secular, cognitive type, unconcerned with transcendence and totally under the sway of temporal life. ...Halakhic man is also a *homo religiosus*, in all his loftiness and splendor. His soul, too, thirsts for the living God...."[13]

Soloveitchik emphasizes the effect of the cognitive element on the Halakhic personality. It is the cognitive side of that personality which leads to the need for a system which not only provides law and order, but also a road which leads directly to the unlocking of the cosmic mystery, because he is able to devote his constructive intellectual energies to the pursuit of cosmic knowledge. The religious aspect of the personality is that which gives Halakhic man his notion of cosmic feeling and transcendence. Both of these personality traits exist within Halakhic man; in fact, they are bound together by the *Halakhah*. When the two sides conflict, as noted in the previous chapter with regard to "The Lonely Man of Faith," there

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[12]Ibid., p. 7.

[13]Ibid., pp. 39-40.

arises a sense of grief, "an atmosphere in which man loses his spiritual shield."[14] Halakhic man might lose his spiritual shield. His resultant despair might cause him to temporarily lapse in his cognition of *Halakhah*.

> This whole mood [would pose] a profound contradiction to the Halakha and would undermine its very foundations. Halakhic man fears nothing. For he swims in the sea of the Talmud, that life-giving sea to all the living. If a person has sinned, then the *Halakhah* of repentance will come to his aid.[15]

In this allusion to repentance, one might understand Rabbi Soloveitchik to compare the *Halakhah* of repentance to a life-line, constantly present yet only used when needed. However, this characterization would be simplistic and premature. For as he continues to discuss the details of the Halakhic personality, he continues to explore the issue of repentance and the realization that *Halakhah* is much more than a life-line.

Later in his book, Halakhic Man, Soloveitchik turns his attention towards a more complete discussion of repentance. Interestingly enough, Soloveitchik frames his views of repentance in terms of the "Halakhic view" of repentance or more specifically, the Maimonidean view of repentance as espoused in *Hilchot Teshuvah*.[16]

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[14]Ibid., p. 74.

[15]Ibid.

[16]The following exerpts of "*Hilchot Teshuvah*" are taken from: Maimonides, Mishneh Torah, The Book of Knowledge. English translation by Moses Hyamson. Jerusalem: Feldheim Publishers, p. 1981.

He begins his discussion with what he understands as the definition of repentance.

> Repentance, according to the halakhic view, is an act of creation—self creation. The severing of one's psychic identity with one's previous "I," and the creation of a new "I," possessor of a new consciousness, a new heart and spirit, different desires, longings, goals—this is the meaning of that repentance compounded of regret over the past and resolve for the future.[17]

Soloveitchik uses Maimonides' "*Hilchot Teshuvah*" to explain his Halakhic definition. He highlights several topics he believes relevant to the discussion: the role of confession, the distinction between repentance and atonement, and some of the modes of manifesting repentance.

> In the *Mishneh Torah*, Maimonides writes
> With regard to all of the precepts of the Torah, affirmative or negative, if a person transgressed any one of them, either willfully or in error, and repents and turns away from his sin, he is under duty to confess befroe God, blessed be He, as it is said 'When a man or woman shall commit any sin that men commit, to do a trespass against the Lord, and that person be guilty, then they shall confess their sin which they have done' (Num. 5:6-7); this means *confess in words* ; and this confession is an affirmative precept. *Hilchot Teshuvah*, 1:1

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[17]Soloveitchik, op. cit., p. 110.

As Rabbi Soloveitchik interprets this passage he poses a central question with regard to the role of confession. Soloveitchik asks, "Is confession absolutely necessary for repentance to be valid?"

The answer to this question, according to Soloveitchik, lies in conflicting statements Maimonides makes with regard to *viddui*, or confession. In the above citation, Maimonides makes it clear that if a person sins, "he is under a duty to confess before God." However, in another section of the *Mishneh Torah*, Maimonides cites a Baraita which allows only "thoughts of repentance in his heart."[18] Thus, the question remains, "is confession, according to the *Halakhah*, necessary for repentance?" The answer, according to Soloveitchik, is in the distinction between repentance and atonement.

Repentance has two functions: to divest a sinner of his state of wickedness and to serve as a means of atonement.[19] One may achieve the former without achieving the latter, but not the latter without the former, for

> his being divested of his status as a *rasha* has nothing to do with his obtaining atonement, but is dependent only upon the act of repentance itself consisting of regret and resolve. Repentance *per se* does not require verbal confession. Only the second aspect of repentance, which

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[18] Kiddushin 49b. The *Baraita* quoted by Soloveitchik directly contradicts the aforementioned statement from *"Hilchot Teshuva."* It is located in *"Hilchot Ishut,"* 8:5. The following text appears in Soloveitchik, op. cit., pp. 110-111. "[If a man says to a woman: Be thou betrothed unto me] on the condition that I am righteous,' even if he is absolutely wicked she is betrothed, for he may have had thoughts of repentance in his heart."

[19] Soloveitchik, op. cit., p. 111.

has as its aim the obtaining of atonement, requires verbal confession.[20]

The difference between these two aspects of repentance is subtle but important. A person who can divest himself of wickedness performs the creative act of repentance. He must change his sinful persona into a new persona that is wholly different from the one that sinned; indeed, he must create this new persona. This internal change can occur without confession, but atonement is granted by others and God.

> Repentance may serve as a means of atonement like other means of atonement—sacrifices, the Day of Atonement, afflictions, death, and such like.

In other words, repentance removes the sin from the sinner in much the same manner that the sacrifice which was burnt upon the altar removed sin. As the "sacrifice" of repentance is offered, the sin is lifted and pardoned. However, while the verbal confession may serve as means of atonement, that is, as a means of pardon, it is not a factor in divesting the sinner of his wickedness. Being divested of one's wickedness is an act that can only take place within the sinner; for this purpose, the confession is only a manifestation.

> The lack of verbal confession prevents repentance only from serving as a means of atonement, but it does not prevent it from divesting a sinner of his status as a *rasha*.[21]

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[20]Ibid., pp. 111-112.

[21]Ibid., p. 111.

While Soloveitchik identifies two aspects of the halakhic view of repentance, divesting wickedness and seeking atonement, he does not identify which is of greater importance. While sections of *"Hilchot Teshuvah"* indirectly allude to both,[22] they do not outline the process by which these "steps" are to be achieved. As we shall see in his interpretation of the Halakhic view vis-a-vis Halakhic man, Soloveitchik holds this process at the center of his thought on the matter.

Homo religiosus, according to Rabbi Soloveitchik, sees repentance only from the perspective of atonement, of which confession is an integral part. In other words, he believes that divine grace is invoked by the very words of confession he utters. But by saying the words of confession, he mererly guards himself against punishment. He does not create a new personality.

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[22]Maimonides describes what it means to be divested of *rishah* and explains what it means to manifest repentance:

"What is repentance? It consists in this, that the sinner abandon his sin, remove it from his thoughts, and resolve in his heart never to repeat it, as it is said, 'let the wicked forsake his ways and the lonely man of iniquity his thoughts'." *Hilchot Teshuvah*, 2:2 p. 82b. "Some of the modes of manifesting repentance are that the penitent cries continuously before the Lord with tears and supplications; gives charity according to his means; keeps far away from that wherein he sinned; changes his name, as much as to say: 'I am another individual and not the one who committed those deeds'; changed all his activities for a better course, for the righteous way; and exiles himself from his former place of residence, since exile atones for iniquity, inducing, as it does, humility, meekness and lowliness of spirit. *Hilchot Teshuvah*, 2:4

> Therefore, for *homo religiosus*, repentance is a wholly miraculous phenomenon made possible by the endless grace of the Almighty.[23]

God's grace is responsible for repentance. The only thing *homo religiosus* can do is confess.

Homo religiosus does repent, yet he falls short of the type of repentance Soloveitchik deems necessary for halakhic man. For *homo religiosus*, repentance is something granted from above. But while *homo religiosus* may have a passive role in repentance,

> he mourns for the yesterdays that are irretrievably past, the times that have long since sunk into the abyss of oblivion, the deeds that have vanished like shadows, facts that he will never be able to change.[24]

Halakhic man, however, has an active role in repentance.

> Halakhic man is engaged in self-creation, in creating a new "I." He does not regret an irretrievably lost past but a past still in existence, one that stretches into and interpenetrates with the present and future.[25]

These two conceptions of repentance convey the message that the "higher" repentance is not merely a miraculous confession, beholden to God's grace, but an internal re-creation. One must actively examine the past and actively vow for the future. Interwoven throughout this description of repentance is Soloveitchik's conception

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[23]Soloveitchik, op. cit., p. 113.

[24]Ibid.

[25]Ibid.

of time, that which allows halakhic man to be a self-creator, to repent.

Soloveitchik explains that "there is a living past and a dead past. There is a future which has not yet been 'created,' and a future already in existence."[26] Halakhic man is able to discern the aspects of his past which need to be altered. As he repents about the sins of his past, if he truly struggles to deal with them, he unites his sinful past with the present. As he alters his ways, he creates his future, he is renewed. If he fails to seize the past and deal with it then he will stumble into a future that he powerless to change.

Soloveitchik's idea of time is, at best, paradoxical for it involves an illogical sequence of causation, revisiting the past to change the future—all in the present. Yet this paradoxical conception of time is central to his conception of repentance in Halakhic Man. It is that which allows "a great man [to] utilize his past sins and transgressions for the sake of achieving great and exalted goals."[27]

Repentance in *On Repentance* (1975)

Unlike "Halakhic Man", On Repentance is not comprehensive philosophical work actually penned by Soloveitchik. From 1962-1974, Rabbi Soloveitchik delivered a variety of lectures on the subject of repentance. These lectures, which were neither delivered from prepared texts nor given more than once, were subsequently transcribed and published by Dr. Pinchas Peli, a devoted student of

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[26]Ibid., p. 114.

[27]Ibid., p. 117.

Rabbi Soloveitchik. Hence, whereas *"Ish ha-Halakhah"* is a single work which seeks to define specific typological characters, in *Al ha-Teshuvah* "there emerges no unified typology of a 'repentant personality,' but a series of insightful yet not integrated categories of confession, and of intellectual and emotional, slow and spontaneous, absolutional and cathartic repentance."[28] While Soloveitchik does not create one unified typology of "Repentant Man" within the pages of On Repentance, he does propose many categories that are meant to help the reader understand the various processes of repentance. He includes among these categories: stages of sin, perfect and imperfect repentance, motivations for repentance, and various modes of confession. This disjointed work does incorporate many of the issues raised in "Halakhic Man," and, in fact, greatly expands upon them.

Soloveitchik's method of discussing repentance in the seven chapters of On Repentance is similar to his method in Halakhic Man in that he begins each section with a discussion of the Halakhah in Maimonides *"Hilchot Teshuvah"* and then continues with his understanding of it within his own framework.

As we noted in the discussion of time in Halakhic Man, repentance is a process. Soloveitchik continues with the idea of repentance as a process in the pages of On Repentance. His discussion of the process of repentance centers around his understanding of sin.

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[28]Goldberg, H. "Soloveitchik's Lonely Quest." Midstream, 28 (November 1982), p. 32.

In equating sin with a sickness, Soloveitchik follows the Bible, "He forgives all your sins, heals all your diseases" (Ps. 103:3), and the Maimonidean mode as set forth in the "Eight Chapters."[29]

> The idea is clear: sin is an abnormal phenomenon. The healthy person, living a normal life, does not fall into the ways of sin. Sin constitutes a sort of spiritual pathology; just as many diseases of the flesh constitute physical pathology,...., so sin is a sort of spiritual pathology. The conclusion to be drawn from this supposition is of great significance in understanding repentance. If sin is a sickness then it also has the characteristics of a sickness. What is characteristic of sickness? Suffering.[30]

With this understanding of sin firmly in place, one must ask the question "How does sin express this suffering?" The answer to this question reveals itself in the two stages of sin: the feeling of sin and the recognition of sin.

Soloveitchik equates the feeling of sin with the sorrow of mourning. "Mourning is reaction to a loss and it expresses itself in a strong sensation of nostalgia, of yearning, or of retrospective memories. The power of mourning, its cruelty and its loneliness, has its focal point in the memory of the human being."[31] This equation is based in the fact that the feeling of sin, like mourning, is also a reaction to a loss. What is that loss?

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[29]Cf., Weiss, Raymond L. & Butterworth, Charles, ed. Ethical Writings of Maimonides. New York: Dover Publishers., 1975. pp. 65-67.

[30]Peli, On Repentance, op. cit., p. 194.

[31]Ibid., p. 195.

> "The sinner has lost his purity, his holiness, his integrity, his spiritual wealth, the joy of life, the spirit of sanctity in man—all that gives meaning to life and content to human existence. The mourner mourns the soul of the beloved one he has lost; the sinner mourns his own soul which he has lost."[32]

Peli, in a separate article succinctly explains that "sin causes remoteness from God,"[33] as man sins, he distances himself from his Creator. He begins to feel the profound loss and feels the symptoms of his sickness. "The sinner feels disgust at the defilement of sin. The suffering of sin lies in the feeling of nausea toward the defiling, disgusting uncleanliness of the sin."[34] The sin manifests itself as symptoms felt by the sinner, symptoms which may go unfelt for a great deal of time. However, this is not the completion of repentance. For despite the suffering endured by the sinner as a result of his sin, the sinner cannot begin to repent unless he recognizes that his suffering is due to his sin. Once the sinner recognizes the source of his suffering, he can begin the process of repentance. He can begin to purify his character, to re-enact the covenant with God his sin has forced him to abrogate.[35]

The recognition of sin is only a starting point for the sinner's repentance. For only once the sinner recognizes his sin can he begin

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[32]Ibid., p. 196.

[33]Peli, "Repentant Man—A High Level in Rabbi Soloveitchik's Typology of Man," op. cit., p. 140.

[34]Peli, On Repentance, op. cit., p. 197.

[35]Ibid., pp. 216-217.

to examine it, can he begin to transform it into a positive self-creating experience. As Soloveitchik mentioned in Halakhic Man, the ability to utilize the memories of the living past is essential for any type of repentance. In On Repentance, this, too, is the case. However, in the latter, Soloveitchik explains further.

> Sin is not to be forgotten, blotted out or cast into the depths of the sea. On the contrary, sin has to be remembered. It is in the memory of sin that released the power within the inner depths of the soul of the penitent to do greater things than ever before. The energy of sin can be used to bring on to new heights.[36]

Again, Soloveitchik's dynamic understanding of time is essential. In order for a person to repent, he must look to the past, examine it and let its experience change him. If he

> "makes a point to use the memory of his sins to enhance his longings for holiness that are bursting forth from inside of him—such a person achieves the quality of repentance which elevates evil to a state of goodness. ... It is as if He lifts up and elevates sin and transgression to unimaginable heights."[37]

This type of repentance results in a better person, stronger than before. "Repentance of this sort...infuses [the penitent] with a burning desire to come as near as he can to the Creator of the universe and attain spiritual heights undreamed of before he sinned.

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[36]Ibid., pp. 254-255.

[37]Ibid., p. 255.

Within Soloveitchik's philosophy the concept of free choice is a fundamental element in a person's ability to create his "self.". In understanding sin, this ability to choose to re-create one's self is at the core of his ability to transcend his sin. But what if a person repents due to coercion or other factors beyond his control? Is his lack of free choice relevant to his ability to be a penitent? Soloveitchik addresses these questions by first citing *Hilchot Teshuvah,* 2:1.

> What is perfect repentance? It is when an opportunity presents itself for repeating an offense once committed, and the offender, while able to commit the offense, nevertheless refrains from doing so, because he is penitent and not out of fear or failure of vigor.[38]

Although Maimonides discussion of perfect repentance precedes his discussion of free choice, Soloveitchik's sees the concepts of free choice and "perfect" repentance as inextricably linked. One must have the former to achieve the latter. The example given is of a man who, in his youth, had illicit sexual relations with a woman. If he was again alone with her and he still felt the same longings and feelings for her yet he desisted from acting upon his urges, he is the "perfect" penitent. If, however, he was old, and the only reason he desisted from acting upon his urges was due to his physical condition, then he is considered the "imperfect penitent. The interesting irony raised by Soloveitchik is that both the perfect and imperfect penitents' repentance is considered, in the eyes of God,

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[38]Maimonides, "*Hilchot Teshuvah,*" op. cit., p. 82b.

acceptable. However, Soloveitchik also notes "if it were up to me, I would throw an old lecher out of the study hall—but the Almighty is compassionate and gracious, and abounding in kindness and truth."[39] This irony is interesting because it points to different levels of repentance. Both perfect and imperfect repentance are acceptable, yet Soloveitchik has clearly endorsed the former.

Repentance out of an inability to sin is acceptable, but even better is repentance which "leads to a knowledge of sin, thence to an understanding of sin, and thence to a conscious awareness of sin, which is the gateway to true repentance."[40] It must come from within, it must not be imposed from without.

Up to this point, the discussion of repentance in On Repentance has centered on the internal process of re-creating one's self. This is a central component to Soloveitchik's view of repentance. However, in addition to this internal struggle a person must endure, there must be some outward manifestation of the change. This outward manifestation can, to a great extent, be understood as confession.

In Halakhic Man, Soloveitchik points to the beginning of "*Hilchot Teshuvah,*" to the duty of confession. He explains the role of confession as that which serves to bring atonement. However, in On Repentance, Soloveitchik discusses several other functions of confession. Confession, he notes, serves as the concluding act of repentance, as a symbolic sacrifice of sin, and as a humbling cry before God.

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[39]Peli, On Repentance, op. cit., p. 146.

[40]Ibid., p. 152.

> Repentance is not a function of a single, decisive act, but grows and gains in size slowly and gradually, until the penitent undergoes a complete metamorphosis, and then, after becoming a new person, and only then, does repentance take place. And what is the concluding act of repentance? It is confession.[41]

Soloveitchik admits with his analysis of *homo religiosus* in Halakhic Man that confession can be an empty expression of a set formula that is wholly dependent upon God's grace. However, in On Repentance he seems to set this view aside, if not abandon it completely. According to Soloveitchik,

> when repentance has ripened and reached full maturity, when he actually does repentance—"he shall confess...". This is how repentance is indeed performed, but the fulfillment of inner repentance is a *sine qua non* which must precede it, for otherwise confession is not valid.[42]

Thus, Soloveitchik concedes that confession is an integral part of repentance. But why must this be true? Because the act of honest confession necessitates that man examines the reality in which he exists. When a man feels the sickness of sin and recognizes it he must look to the past and, utilizing the memory of the sin, reconstruct it. The sin-sickness torments man until he admits facts as they really are and gives clear expression to the truth. "This, indeed, is a sacrifice, a breaking of the will, a tortuous negation of

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[41]Ibid., p. 75.

[42]Ibid.

human nature."[43] Understanding confession as a sacrificial act enables one to symbolically envision his sin floating upwards to the Heavens.

> Just as the sacrifice is burnt upon the altar so do we burn down, by our act of confession, our well-barricaded complacence, our overblown pride, our artificial existence....Only then, after the purifying catharsis of confession, does one return, in circular motion, to God who is there before man sins, to our Father who is in heaven, who cleanses us whenever we approach him for purification.[44]

In On Repentance, Soloveitchik notes that confession contains the necessary, sacrificial act of repentance. Repentance occurs internally while confession is an external manifestation to God that the sinner has actually repented. It must be understood, however, that the confession, like the sacrifice, is for God, and no one else.

According to Soloveitchik, confession must come at the end of a long process of self re-creation. It must come as a part of the process. However, at times, a sinner, if he has not repented, might see confession as a way for him to achieve public approval or public stature.[45] A person seeing the sinner confess might attribute a measure of righteousness to him. Without the difficult pre-requisites

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[43]Ibid., p. 95.

[44]Ibid., pp. 95-96.

[45]Sins committed against one's fellow man are only expiated through public confession. "It is not enough to feel remorseful or to beg forgiveness from another in private .... He must make his apologies in public." Cf., Ibid., p. 80.

of struggle, re-creation and change, the confession is not justifiable and the sinner sins further. This aspect of confession alludes to a part of repentance not covered in Halakhic Man, the role of the community and the role of *Yom Kippur*. Soloveitchik introduces these two concepts simultaneously.

> On the Day of Atonement there are two types of acquittal. One is individual expiation, bestowed upon each and every Jew. Every Jew can receive it if he possesses a sufficient amount of spiritual strength and can be purified of transgressions on the Day of Atonement, and of the contamination of sin and enter "into the presence of God." Secondly, *Knesset Israel,* in its entirety and as a separate mystical kind of self, as an independent entity in its own right, is also purified in the presence of the Almighty on that Day.[46]

Soloveitchik again distinguishes between different types of repentance: individual repentance and communal repentance.

We have already discussed individual repentance as Soloveitchik understands it, but how does that view change when considering the repentance of *Knesset Israel* ? Also, what is the role of *Yom Kippur*, the Day of Atonement?

The status of the individual is not lowered by his involvement in the community, rather it is enhanced. This is a recurrent theme within Judaism, namely, the superior versus subordinate position of the individual within the community. On the one hand, the great

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[46]Ibid., p. 106.

sages were always praised for their knowledge and integrity. They were always placed on a higher level than their students. However, when it came to prayer, the sage, too, needed a *minyan,* and then he needed the community. Indeed, Soloveithchik comments

> Never is the individual's worth belittled when measured against the whole community; and never is the community undermined because of any individual or individuals. Each has its own position of strength.[47]

In essence, Soloveitchik notes that both the community and the individual have their respective roles with regards to repentance; neither can lower the other. However, when it comes to the actual act of repentance of *Yom Kippur*, there is a significant difference in the approach of the individual as compared to the approach of the community.

We can recall from the above discussion that the individual approaches repentance out of dread and fear. Because of his sin he has been cast away from God. This lonely, mournful state is that which propels him to seek repentance, to seek to change his ways and be righteous and whole. His is the slow process in which his sin will not be forgotten. The process of his repentance will be with him until the day of his death.

In contrast to the approach of the individual is the approach of the community. While the individual comes to repentance in a state of mourning and loss, the community approaches repentance in a

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[47]Ibid., p. 115.

state of joy. Why is this the case? The answer to this question lies in the relationship of *Knesset Israel* to God.

> Only after confirmation [throughout the liturgy of *Yom Kippur*] of the love and close relationship prevailing between the flock and the shepherd, the vineyard and the guard, the woman and her lover—only then do we arrive at the stage of communal recognition of sin expressed in the short confession "we have sinned."[48]

The community comes to God in repentance as a long-time friend seeking forgiveness. This is a celebration of not only the relationship between Israel and God, but within the *whole* community of Israel.

Yom Kippur, then, is more than a day when the individual penitently weeps before God; it is a day when the entire Community of Israel can come together and renew its relationship with God. The seriousness of the day requires a solemn demeanor, but the communal confession "out of a sense of confidence and even rejoicing,"[49] is a heartwarming event.

Conclusion

Trying to grasp Rabbi Solveitchik's views on the subject of repentance is a difficult task, for his main work on the subject, On Repentance, is a work compiled by his student, Pinchas Peli, from notes and recollections of lectures that took place over the course of several years. Thus, while we may seem to have his views on the

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[48]Ibid., p. 118.

[49]Ibid., p. 119.

subject, there exists a level of doubt as to how much of Peli's understanding fully reflects the thoughts attributed to Rabbi Soloveitchik. Of those works I have read that were actually penned by Soveitchik, only "Halakhic Man" directly addresses the subject, and, then, not in a very comprehensive manner. This chapter has attempted to summarize and assess these views.

While it is difficult to locate any one definition of repentance, it is clear from On Repentance and "Halakhic Man" that Soloveitchik has his ideas on the matter clearly defined.

Because of the conflicting and competing needs of spiritual transcendence on the one hand and attaining knowledge and mastery of the intelligibles on the other hand, the human being will ultimately sin. Either he will withdraw from the community in order to satisfy his spiritual needs, or he will withdraw from his spirit and God in order to meet his cognitive needs. In either case, he will distance himself from what *Halakhah* requires, for he will see it as a hurdle in his path that prevents him from achieving his goal. What he will fail to realize is that *Halakhah* is the road to his goal.

Once in a state of sin, the sinner will begin to feel the dread that he has brought upon himself, perhaps a dread that will manifest itself physically or behaviorally. However, when the sinner finally realizes that the feelings he is experiencing are due to sin, he can then begin the process of repentance.

This process is not as simple as uttering even a sincere confession with the intention that the sin will be forgotten or erased. Rather, Soloveitchik understands the process of repentance as one of remembering the sin and harnessing those energies which led to it in

order to prevent it from occuring in the future. This process is slow, difficult, and often painful, because it necessitates that a person critically examine himself and see where he erred, the factors that led to his internal conflict, and the emotions that either clouded his true recognition of the sin or those which helped him recognize the fact of his sin. This is the process by which a person spiritually re-creates himself.

The process of repentance, for Soloveitchik, has neither a single definite beginning nor a single definite conclusion. Rather, it is a process which occurs over the course of one's lifetime. As individuals live and grow, and as circumstances in their lives change, certain refinements in the personality are needed to strike the balance between a meaningful existence in the outer world and a meaningful existence in one's inner soul. This process can take place at any time and at any place Only after the sinner has truly undergone this change within himself can he then confess his sins and hope for his acquittal.

Chapter Five

Maimonides and Soloveitchik On Repentance

When the Temple stood in Jerusalem, doing repentance was a relatively simple task. According to the Torah, all an individual needed to do to accomplish the task of repentance was to seek forgiveness from the person he wronged, if his sin was against another person, to utter a confession before God, practice self-denial, and bring an offering to the High Priest of the Temple. The priests would then burn the offering upon the altar, and, as an act of divine grace, the sin would be "lifted" off of the person just as the smoke of the offering lifted to the Heavens. Thus, through the act of repentance, atonement would be granted for the sin and the person would emerge "renewed."

In the ancient days of the Israelite people, and this is how sin was removed, this is how people repented. Because of the Temple and the opportunity to offer sacrifices, aside from the economic impact of burning one's possession, the procedure was relatively easy and painless for the individual, aside from the day of fasting and denial of material luxuries. Today, however, the Temple no longer stands, and neither does the institution of the Sacrificial Cult.

Therefore, it is up to us to meaningfully deal with the idea of repentance without relying on the offering and burning of animals. Despite the fact that the specific cultic mechanisms for doing repentance and achieving atonement as delineated in the Torah are no longer relevant to us, the institution of repentance is very relevant to us, and there is a great deal we can learn from the works of Moses Maimonides and Rabbi Joseph Soloveitchik.

As I have indicated in the body of this thesis, both Maimonides and Soloveitchik were profoundly interested in the subject of repentance; indeed their interests led to their respective works, "The Laws of Repentance," within the *Mishneh Torah*, and the rabbinic discourses in On Repentance.[1] However, despite their common interest in the topic of repentance, their respective treatments of it differ in important ways. These differences are especially evident in Maimonides' systematic approach versus Soloveitchik's non-systematic approach, Maimonides' idea of repentance as a procedure versus Soloveitchik's understanding of it as a process, and their individual views of the person who has repented and his or her ultimate goals.

Systematic Versus Non-Systematic Approaches to Repentance

If one only glances at their respective works, it becomes immediately clear that Maimonides' and Soloveitchik's styles differ. Maimonides, writing in twelfth century Egypt discussed repentance

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[1]This comment is not meant to attribute sole authorship of On Repentance to Rabbi Soloveitchik. Rather, it is meant to be used as a level on which these two religious philosophers can be compared.

in his two major works, the *Mishneh Torah* and The Guide of the Perplexed. Despite the fact that his words on the subject of repentance are scattered throughout his Guide, his words on repentance are carefully arranged and systematically presented in the section of the *Mishneh Torah* entitled "The Laws of Repentance." In this section, Maimonides bases his discussion on the single precept "that the sinner shall repent of his sin before the Lord and make confession." However, the fact that his discussion is based on only one precept does not mean that repentance is the only topic Maimonides addresses in his work. More specifically, as Maimonides seeks to explain this one precept, he includes a discussion of free will, the World to Come, the love of God, as well as the topics directly related to his discussion of repentance. Confession, perfect repentance, the Day of Atonement, the role of punishment and even what constitutes a person's being in a state of sin, all of these topic are discussed in the "Laws of Repentance."

Maimonides' presents a clear, systematic view of his understanding of repentance in the *Mishneh Torah*, a piece of Jewish literature that was written by Maimonides, well disseminated, and widely read. On the other hand, Soloveitchik's main work on the subject of repentance was not even written by Soloveitchik himself. Rather, Pinchas Peli, one of Soloveitchik's students while at Yeshiva University, committed to writing various lectures that Soloveitchik delivered on the subject between 1962-1974.

Because On Repentance was not written by Soloveitchik it seems, in my opinion, unfair to criticize him for its lack of organization. However, the fact that it is not as clearly organized as

"The Laws of Repentance," indicates the different purposes for which these two works were intended.

Maimonides wrote the "Laws of Repentance" as part of larger compendium for Talmudic study, namely, the *Mishneh Torah.* On Repentance, on the other hand, was compiled because repentance was an essential and recurring theme within the thought and lectures of Rabbi Soloveitchik. The former was meant to aid the student of the Talmud as he strove to understand the commandment of repentance, while the latter was meant, in my opinion, to provide insight and understanding for the modern day individual seeking to understand how to reconcile the events of his life within the framework of Jewish repentance. Maimonides intended his work to serve as a guidebook, so, it is not surprising that it was written in an "easy to follow," well organized fashion. Soloveitchik, on the other hand, sought to enable the modern Jew a relevant and useful concept of repentance. His discourses present various issues connected with his conception of repentance as they relate to each other; he does not attempt to systematize his views.

While the "Laws of Repentance" is a work divided into ten chapters, each of which is subdivided into many sections, On Repentance is divided into seven "lectures" each sub-divided, as well. In contrast to the topical division of the various sections of the "Laws of Repentance," the lectures in On Repentance contain topics not divided along clear lines. Therefore, for the person attempting to access a particular bit of information from the writings of Soloveitchik, it is necessary to read the entire work. This difference is understandable when one considers that Rabbi Soloveitchik's

"lectures" were delivered independently of one another so his concepts did not necessarily need to build upon each other for the work to make sense. Within each lecture, though the topics vary, the organization proceeds logically. Only when taken as a whole, does the work seem disjointed and disorganized.

Setting aside the differences in organizational style, one can begin to examine the subjective differences between these two works. In a simple phrase, the main difference between Maimonides' and Soloveitchik's respective approaches to repentance can be described as the difference between a procedure and a process.

Repentance as a Procedure Versus Repentance as a Process

Both Maimonides and Soloveitchik were interested and devoted to *Halakhah*. Maimonides felt that as one followed *Halakhah* and studied Torah for its own sake, one achieved a knowledge that led to the love of God. On the other hand, Soloveitchik felt that following the *Halakhah* would aid a person in achieving a reconciliation, if not an ultimate union between the two antithetical sides of his personality, the side that seeks to understand the world as it is and the side that seeks to control it.

When one stops following *Halakhah*, or, for some reason, is led astray by one of his inclinations, the result will be that the goals understood by Maimonides and Soloveitchik will be put out of reach. Thus, the sinner will need to repent.

Maimonides explains that when a person has more sins than merits, he is considered a sinner. Also, it is impossible for the

individual to know the relative weight of the sins and merits so one will not know if he is in a state of sin. Therefore, for Maimonides, the assumption must be made that the person is always in a state of sin to some exetent and, therefore, in need of repentance, even the righteous person whose sins are outweighed by his merits. Although his sins may be few, they are, nevertheless, sins that need repentance. These procedural issues are described in Chapter 3 of the "Laws of Repentance" and are presented simply and clearly. But while Maimonides is able to provide a definition of the sinner, the issue is less clear for Soloveitchik.

For Soloveitchik, whether one is considered a sinner is not formulaic, because sin, in Solovietchik's parlance, is more of a psychological state than a stated reality. For Soloveitchik, repentance is a process that begins not with the intellectual assumption of sin, that we have committed sins of some kind, but rather with a feeling that overcomes a person as a result of his feeling a loss of God. Soloveitchik equates this feeling with the feeling of loss or the condition of mourning. Often, he explains, these feelings manifest themselves physically with tears and melancholy. This "feeling of sin" is only the first stage in the long process of repentance. For even as a person "feels" their sin, they may not recognize their feelings as being associated with an internal, spiritual discontent. Once they make the connection between the external manifestations and the internal problem, they are said to have moved into the stage of "recognition of sin."

While Maimonides instructs the person to assume that they are in a state of sin, Soloveitchik explains that it is up to the person who

sinned to recognize that he has sinned. For Soloveitchik, there can be this assumption, but what is decisive is the psychologial feeling and recognition of sin.

The procedure of achieving repentance, for Maimonides, continues with a confession in which the person seeking forgiveness must sincerely repent of his sins and promise never to repeat them again. Once he has made a sincere confession before God, atonement will be granted. However, Maimonides also explains that a person must repent his sin again the following year, even if he has not repeated it so that he will be reminded to fulfill the words of his confession faithfully into the future.

For Soloveitchik, the process of repentance is more complicated. First of all, it does not begin with a confession, but rather an internal struggle that leads to a person's wanting to somehow resolve the issue that led to his sin. For Soloveitchik, a great deal of thought, struggle, and suffering must take place before a person is ready to confess. This thought, struggle, and suffering requires that the sinner not erase the sin, but examine it. It requires that the person revisit the situation which led to his mournful or melancholic state. This is a process that is highly personal and whose procedures cannot be defined or explicated in a book.

Maimonides bases his conception of a person who has sinned to depend on the fact that individuals possess free will, the ability to do what is right in their eyes. For Maimonides, God created the mechanisms of repentance and change, so a person may freely choose to follow or not to follow the path that leads to repentance.

Soloveitchik, too, believes in human free will. However, its relevance to repentance is slightly different from what Maimonides describes.

While Maimonides' description focuses on the ability of people to freely choose their own future, Soloveitchik explains that man can and must create his own future. In fact, man's creative capacity is that which lies at the center of Soloveitchik's understanding of repentance. For Soloveitchik, true repentance is the ability to create a new self that is based on the lessons learned from honestly and openly examining one's past.

The example can be given of an alcoholic. In order for this alcoholic to repent, to turn his life around, he must confront the past that led to his addiction. He must make that past come to life and confront it, so he may change himself and control his addictive behavior. Only then, will he be able to utter a confession, a symbol of his change. However, this is a battle that the person will fight as long as he lives. For he will always have to deal with his past.

Maimonides describes repentance as something people must do. Soloveitchik describes it as something that people must undergo. Both of them acknowledge that people must choose to repent, but while Maimonides makes the assumption that people are necessarily guilty of sin, Soloveitchik admits that people must make their own realization that they have sinned. Only after they do that can they begin the process of repentance. For both Maimonides and Soloveitchik, repentance involves making choices and choosing the direction of one's future. But while Maimonides explores the mechanisms by which these changes might take place, Soloveitchik explores the emotions that a person might feel as he seeks to unite

those aspects of his personality which have become out of synch with each other.

Because Soloveitchik's view of repentance is that of a process, it has neither a definitive beginning nor a definitive end. On the other hand, Maimonides' view of repentance does have an end, albeit one that is difficult to achieve.

The Repentant

We have discussed the different views that Maimonides and Soloveitchik held toward the doing and achieving of repentance, namely how their views of it can be distinguished between the procedure of repentance and the process of repentance. But how do these differing views reflect upon the person who has repented? What values does such a person exemplify? What is the lifestyle of the repentant?

From our prior discussion on the nature of repentance within Maimonides' and Soloveitchik's frameworks, it is clear that their differing views of repentance are manifested differently by the individual.

Both Maimonides and Soloveitchik discuss the outward acts that a penitent person will display. The penitent, for example, will display a reluctance to commit the same act that he committed when he sinned originally. For Maimonides, this comes at a later point, after the confession, at a time when the person has the opportunity to repeat the same sin. For Soloveitchik, this is the role of the confession. Because Soloveitchik places confession at the end of the process of repentance the confession is not the determining factor

that leads to repentance. Rather, it is that which symbolizes the fact that the process of repentance has already taken place. But while repenting is difficult for Maimonides and Soloveitchik, it is not meant to be an end unto itself, because repentance is only part of a greater goal.

In Chapter 10 of the "Laws of Repentance," Maimonides points to this greater goal. More specifically, he points to the love of God as the ultimate achievement of the one who has repented and has been able to live his life in accordance with the Law. Only after repentance has taken place, only after a person has been able to distance himself from the tangible needs of his world, and has been able to live his life as one who is always focused upon God, only then can this person deem himself as truly repentant. In other words, the trials and tribulations associated with sin must be overcome so that a person can achieve this ultimate knowledge of and love of God. Once a person has divested himself of sin, he can focus his energies on the study of Torah and the acquisition of moral and rational virtues, to which the study of Torah will lead. This is not to say that repentance will necessarily lead to the love of God, but without it, the love of God remains out of reach.

For Rabbi Soloveitchik, the role of repentance is very different. Because men and women are created with the conflicting dual needs to reach out and conquer the world, on the one hand, and reach in and know God, on the other hand, repentance takes on a meaning that goes beyond the traditional notion of the word.

Ultimately, for Soloveitchik, repentance is less "I'm sorry, I won't do it again," and more "How do I reconcile the two aspects of

my personality that I may continue to live physically and survive spiritually, in this ever changing world about me?" In Soloveitchik's scheme, the *Halakhah* is there to help the individual deal with the latter of these two questions. It can provide the guidance in providing a path which should help the person cope, yet it cannot aid the person in his quest to balance his spiritual, societal and personal needs. In order for the person to be able to balance all of these competing needs, he has to remember that there are three elements in his world: the person, the community, and God. At any given point, the three might be in synch with each other, but as the situation changes with respect to the individual, so, too, does the balance.

Maimonides seeks to provide the individual with a course of action to achieve a balanced life according to the golden mean and the ultimate reward of the knowledge and love of God. This is what he deems necessary to lead one to eternal life in the World to Come. In contrast to this, Rabbi Soloveitchik seeks to describe the path to a redemptive existence in our worldly life. This redemptive existence is one in which the dynamic tension between God, the individual, and the community, will be ever present, yet it is one which will drive the person toward a life full of meaning and worth. It includes, like Maimonides view, a degree of understanding of the intelligibles. It also includes, like Maimonides, a striving for a high plane of ethical behavior. Finally, it includes, like Maimonides, knowledge and love of God. But while Maimonides describes a level at which these elements can be "perfectly" attained, Soloveitchik understands that

they are in constant flux, that there is no one level which exists for everybody.

Concluding Thoughts

There are many observations that I can make as a result of my study. However, one point that keeps coming back to me is what I imagine as the personalities of Moses Maimonides and Joseph Soloveitchik.

Based on what I have read about Maimonides, I know that he was a busy man. He was a physician, a philosopher, and a counsellor of those who sought his opinions. I also know that he spent a great deal of time writing. His Commentary on the *Mishnah*, the *Mishneh Torah*, and The Guide of the Perplexed, alone would be a substantial accomplishment for any author, medieval, modern or at any time in between. However, in addition to these works were his books, treatises, letters, and responsa whose topics ranged from medicine to logic to a community's fears of the effects of a false messiah.

As I studied, however, I continued to wonder how much he wrote for himself versus how much he wrote for others. The *Mishneh Torah* was meant as a legal compillation of the teachings of the Talmud, a corpus of literature in which he was already well versed. The Guide of the Perplexed was written to help a student and others like him resolve the difficulties posed by the conflict between what they had always understood about Biblical and rabbinic teaching on theological issues and what philosophy taught regarding those same issues. Perhaps Maimonides' driving force,

then, was the notion that he could enable others to achieve the exalted goal of knowing and serving God out of love.

However, the fact that he seemed to be writing for others stayed in my mind as I considered his comments on repentance. His words, like those in other law codes, seemed theoretical and distant. They seemed to be missing the "human" element that would help a reader who is neither proficient in *Halakhah* nor deeply invested in the Halakhic lifestyle.

The "Laws of Repentance" are very informative, and they detail how one is to go about the act of repentance. Yet while they allude to it, the laws seem to be void of emotion, as if Maimonides, when he was writing them, was spiritually or psychologically distant from the topic he was addressing. This, in my opinion, limits their usefulness to Reform Jews, most of whom are non-Halakhic Jews. That is not to say that their contents cannot provide insight as people search for answers to their contemporary religious problems, but, for many Reform Jews, the answers will not start with the *Mishneh Torah*. However, while their answers might not start with an author like Maimonides, they might find a starting point in the writings of Joseph Soloveitchik.

Just as I thought about the personality of Maimonides as I studied his works, so, too, did I think about the personality of Joseph Soloveitchik as I studied his works. Whereas Maimonides' comments on repentance seem to reflect a person who was not directly involved in the difficult situation of repentance, the words of <u>On Repentance</u> seem to reflect a person who, even as he spoke the words of his lectures, was going through the process of *teshuvah*.

Whereas Maimonides' writings seem to reflect a person who had found an inner calm, Soloveitchik's words seem to reflect an agitated soul who was in the throes of the process of repentance.

In On Repentance, Rabbi Soloveitchik moves beyond the "legal-ese" in which Maimonides presented hi "Laws of Repentance" and added the spiritual and emotional element that was missing. The emotional element of repentance is, in my opinion, the key to the experience of repentance. Soloveitchik highlights the fact that while situations change, emotions, relationships, and even our spiritual needs change, we must be able to read, interpret, and incorporate these changes into our daily lives. This is, indeed, a difficult task, for in addition to maintaining this balance, we must also go about our daily lives, and continue to function positively in the communities in which we live. This is one of the answers I think many Reform Jews are seeking.

Reform rabbis have a difficult task: to keep Judaism relevant, on the grand scale, and to keep Judaism relevant for their congregations, on a more manageable scale. Considering the fact that more Jews come to the synagogue on Yom Kippur than any other day of the year, I believe the message of repentance can be used to accomplish this task.

The Gates of Repentance, the Reform High Holy Day prayer book, helps people with the words. However, despite the help these words may offer, the concept of repentance may remain elusive. Moses Maimonides and Joseph Soloveitchik offer two elaborations of what the concept of repentance offered in the prayer book ultimately implies. While Maimonides' words offer an individual halakhic

instruction as to how to repent, Soloveitchik's words offer the individual a modern basis for understanding both the concept and value of repentance.

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